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ORIGIN & EVOLUTION OF KINGSHIP IN INDIA

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PREFACE



It is appropriate and in the genuine tradition of Hindu Kingship that a discussion on the origin and evolution of the monarchical form of Government of India should take place under the patronage of one who has during a period of over sixty years tried to revive and live up to the ideals of Raj Dharma. That His Highness the Maharaja Gaekwad of Baroda has been one of the makers of the Age (Kālasya Kāranam) in India has been universally recognised; that he has eradicated evil customs and reorganised society, as enjoined in the Niti Shāstras, and that he has devoted his life to the welfare of the people are matters of common knowledge. It was therefore a privilege which I value greatly to have been invited by his Government to deliver these lectures in Baroda.

2. The lectures were prepared for being delivered in Baroda last cold weather. The unfortunate illness of His Highness the Maharaja of Patiala, however, prevented me from visiting Baroda for delivering them. They are now published in book form for the general reader.

3. I gratefully acknowledge my obligations to Sir V. T. Krishnamachariar, Dewan of Baroda, who discussed the subject with me before I began writing these lectures, and read through the manuscript when I had completed them and to Mr. Hari Sharma, M. A., LL. B., M. O. L., Shirastedar to His Highness the Maharaja Dhiraj of Patiala whose advice was invaluable in the interpretation of many obscure texts.

Patiala, K. M. PANIKKAR.
4th December 1938.

INTRODUCTORY.

Until a few years ago, it was the accepted view not only among European orientalists but also among educated Indians that politics did not form a subject of serious study among the Hindus; that the fundamental questions of political organisation such as the theory of sovereignty, the principle of obedience, the structure of the state and society were not the subject of enquiry by a people presumed to have been steeped in metaphysical speculation. Political theory, it was confidently claimed, was the special contribution of Greece. The state as a realised ethical idea, with a philosophical conception in justification of its existence and activities, was said to have been unknown in India. All oriental monarchies were *ex-hypothesi*, despotic, and the varieties of political experience on which alone a comprehensive theory of state and sovereignty could be developed, were presumed not to have existed in India.

The reason for such a general misconception was that the only state organisation in the East known to the early writers on politics was the Persian Empire. The Greek and Roman historians had familiarised the scholars of Europe with the theory and organisation of the Persian monarchy and the idea persisted through ages that undiluted despotism was the only form of state known to the East. The despotism of the Byzantine Empire was itself considered to have been a reflection of its orientalism, and the idea prevailed and received general acceptance that in India also there could have been no social or political theory worthy of consideration.

Further, it should be remembered that Western scholars who devoted themselves to the study of Indian civilisation were not students of history or politics. Sanskrit scholarship began with literature and philosophy and after Max Muller, it came to have a definitely philological bias. Oriental scholars who devote themselves to subjects relating to ancient India therefore fall roughly into three classes; those who are students of the classical literature of Sanskrit; those interested in reli-

gion, philosophy and metaphysics; and those interested in philology. Indian civilisation as a whole has never been seriously studied by them. Even in regard to Indian history, their work, though of supreme importance, has been mainly directed to the deciphering of inscriptions and coins, to the technical aspects of research more than to interpretation. So far as practical and material sciences are concerned, the idea of Western scholars has, until recently, been that India had nothing worth examination or study. The political weakness of the Hindu community, spread over many centuries, gave colour to the idea that at least so far as the science of politics, was concerned, Indian thinkers had made no contribution which deserved the serious consideration of the political thinkers of Europe.

The discovery and publication of Kauṭalya's Arthaçāstra gave the first rude shock to this complacent ignorance in which both Western and Eastern scholarship had buried itself. The orientalists again busied themselves with the question of its authorship, the probable date of its composition, whether it

was to be ascribed to Kauṭalya himself or to one of his disciples, and such other matters so dear to scholars. But even the bewildering maze of literature produced on such matters could not conceal the significance of the book. Whoever wrote the treatise, it was clear that the science of politics as such had been a matter of enquiry and study in ancient India; that thinkers had long busied themselves with explanations of the nature and character of sovereignty, of the organisation, and functions of the State and its relations to individuals and all the other problems of corporate social life. Kauṭalya himself quotes and criticises different teachers representing at least four different schools. Evidently long before Kauṭalya wrote, the science of politics had been recognised as a subject upon which much had been written. Though the authorities alluded to by him have not yet come to light, many other books of a later date on the same subject, like *Çukra Nītisāra and Kamandaka*, have now been made available. Kauṭalya, it is clear, was by no means the pioneer of a new science. Examined in the light of the scientific treatises on politics, scholars soon recog-

nised that the Raja Dharma chapters in the Mahabharata were more than pious advice given to Rulers : they were seen to constitute an authoritative compilation on political theory as understood at the time.

In the result, during the last quarter of a century, there has been a growing volume of literature dealing with the political theories and governmental organisation of Hindus. The pioneer in this line of enquiry was undoubtedly the late Mr. K. P. Jayaswal whose remarkable book on Hindu Polity revealed, for the first time not only the wealth of Hindu political ideas, but the development of political institutions. Every student of Hindu political thought owes a deep debt of gratitude to Jayaswal whose main conclusions have passed into the current coin of Indian history. As he himself has with justifiable pride said : "The author has had the satisfaction of seeing his results quoted and reiterated with or without acknowledgement almost every year; the subject has become popular : the truth has been recognised, accepted and adopted ; it has rightly ceased to be his."*

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*Preface to Hindu Polity.

It was the custom of ancient Hindu writers on political science to begin their treatises with an invocation to Çukra and Brihaspati, the traditional founders of their science. An invocation to the names of Shamsastri and Jayaswal is equally due from the modern students, to the first for discovering and editing Kauṭalya and to the other for the rediscovery of the science itself. Other notable contributions to the subject are "The State in India," and "The Theory of Government in Ancient India" by Beni Prasad, and "Hindu Political Theories" by Dr. Upendra Ghoshal. Among the many scholars who have dealt with different aspects of the problem may be mentioned Dr. D. R. Bhandarkar (Some Aspects of Hindu Polity), Dr. Narendranath Law (Ancient Indian Polity), Dr. B. C. Law and Professor K. V. Rangaswamy Aiyangar.

The present lectures deal with but a limited part of the subject. The purpose of the writer is to examine the idea of kingship in Indian political theory: the origin of the institution, the nature of kingship as understood by the Hindus, the duties enjoined on kings, and the relations between them

and their people. The Hindu political writers never identified the king with the state. The king was merely one of the seven *prakṛitis* of the state: and the state itself was conceived, as will be shown later, as an integral organisation, which included not only the territory, the people and the sovereign, but the ministry and the services.

In Europe, apart from the early speculation of Greece, no clear distinction between the king and the state existed, at least in medieval times. As Professor Pasquale Villari in his "Life and Times of Machiavelli" says, "The Middle Ages were ignorant of the political organism known to us as the state, which unites and co-ordinates social forces according to precise rules. Instead, society was then divided into fiefs and subfiefs, into great and little communes and the commune was only a truss of minor associations badly bound together" (1).

In India, on the other hand, the state, apart from the king, was an organisation in which was comprised the entire activity of society. The activities of the state, as we

(1) Villari, Life and Times of Machiavelli, page 3.

see described not only in *Kauṭalya* but in the *Mahābhārata* itself, make it clear that the Hindus conceived the state as being the complex of all social activity. As one writer puts it "The theory of *Çāntiparvan* makes it (the sphere of State activity) co-terminous with the State itself. The State should ceaselessly foster righteousness, guide, control and correct the moral life of the people, make the world habitable and comfortable for men. It is possible that the theorist had some basis of practice for his counsel when he wanted the government to reclaim land for cultivation, to excavate tanks and lakes and thus make agriculture independent of the caprices of rains, to make loans of seed grain to cultivators in time of need." (1)

The Kauṭalyan State was even more elaborate and attempted to control every aspect of national life. Social life, trade finance, civic activities, in fact almost every part of man's organised life was considered by Kauṭalya to be within he legitimate sphere of administration. Nor was this mere theory. State activity was all-embracing, and in

(1) Beni Prasad: State in Ancient India, page 98.

consequence it became necessary to insist on the difference between the king and the state.

While it is true that monarchy was considered the normal political organisation, the Hindu theorists recognised the existence of republican, oligarchical and tribal governments and their conception of the state in its widest sense included all these forms. The republican tradition was a persistent factor in Indian history and was represented through ages not only by communities like Vṛṣṇyandhaka Bhojas, but also by powerful confederacies like those of the Lichhavis and the Yaundheyas (1). This important fact also rendered a separation of kingship from the state necessary.

In any attempt to restate the theory of kingship and to trace its evolution and examine it from the modern point of view, it is inevitable that emphasis should be laid more on the literature dealing with the subject than on epigraphical and other records. Professor Beni Prasad has very rightly pointed out that in dealing with state organisations, epigraphic and other evidence

(1) For a fuller description of the Republican forms of government in India see Jayaswal Hindu Polity Part I.

of actual conditions should be given primary importance and that to draw conclusions from stray texts which were perhaps only speculative would lead to no profitable results. This is undoubtedly the correct attitude towards the study of institutions, but in dealing with the origin and evolution of ideas, the proper method is to depend on the treatises of thinkers and to test how far the theories were understood and practised from other evidence available. But here again there are two dangers that beset scholars. The political writings of the Hindus are spread over many centuries, and while a statement in a medieval writer like the author of *Çukranītisāra* could legitimately be used in support of a statement in Kauṭalya to show the persistence of a particular idea or its evolution, the fact should not be forgotten that ideas have different meanings in different ages, and though sometimes the same terminology is used, the meaning intended to be conveyed may be entirely different. A further difficulty which has beset scholars is the unconscious attempt to see modern conceptions in old theories.

Ideas are always related to the life of the community and cannot be isolated from social facts. As a result of historical circumstances many ideas developed in Europe which though stated in universal terms are local in their application and circumscribed in their meaning. Doctrines like "A free church within a free state", "The three estates constituting the realm", "The natural rights of man" etc. fall in this category. To project these ideas into ancient Hindu conceptions is to fall a victim to the fallacy that the similarity of a general idea involves an identity of implications. We shall in the course of the following lectures try to draw attention to a few fallacies of this nature. Here it is sufficient to point out a single instance which would indicate the general nature of this difficulty. It has been argued by some scholars that in ancient India kingship approximated more or less to the constitutional monarchy as known in Western Europe. Now, it is clear that Hindu theory gave no support to the idea of a king with unlimited powers, the absolute monarch in whom is concentrated all the powers of the

State. The power of the Hindu kings was limited by Dharma, by caste organisation, and by the denial of legislative rights. But this limitation is fundamentally different from the theory of the constitutional monarchy. A constitutional monarchy proceeds from the assumption of the absolute power of the crown which has been limited by statutes conventions or institutions. The essence of the theory is the original unlimited character of the king's powers which come to be limited in law, whether it be through conventions and usage as in England, or through written constitutions as, say, in Belgium. But in every case, it is a limitation on the presumed absolute sovereignty of the king. In India, on the other hand, kingship never involved plenary sovereignty. For example, the king could not, in law, change the Varṇāçrama Dharma, or create a Brahmin out of a Çudra, or change the sacred laws. To see in Hindu kingship, a constitutional monarchy is to impart into ancient institutions conceptions which are totally alien to their very nature. While, therefore, we are entitled to compare, to draw distinc-

tions and to emphasise similarities, it would be both unhistorical and wrong to discuss Indian political theories and institutions in terms of Western thought.

The limitation of the subject of these lectures to kingship as distinct from the theory and organisation of the state is in some ways important. The Hindu state, as such, has ceased to exist, though its organisation in some matters has come down to us through the Mahommedan and other Empires. But broadly speaking, the Hindu state, as visualised by the theorists of ancient times, disappeared with the Mahommedan conquest. In the case of Vijayanagar and later of the Maharatta Empire, there was some revival of ancient Hindu ideas, but the impact of foreign political institutions modified their structure to a large extent. The conception of the state in India to-day has therefore no relation to the theories either of the *Mahābhārāta* or of the *Artha-çāstras.* Kingship on the other hand is still a living force. What has survived of Hindu kingship in the Indian States still traces its spiritual descent to the ancient theories and

finds its justification in the *Rājadharma* laid down in sacred texts, and the policy enjoined in the *Nītiçāstras*. Whether in the changing conditions of the time, an ancient theory of kingship and a modern theory of state can be reconciled is a different question. Perhaps the contradictions inherent in the position of Indian States arise from this fact. But all the same, it cannot be denied that the unconscious ideology of the Indian Rulers of to-day lies in the sacred books and treatises of ancient Hinduism. There is not a Hindu Ruler who does not go through the same ceremonies and does not at least in theory accept the same obligations as are laid down in ancient texts. The coronation ceremonies, the religious performances and the relations with the different classes of people are still to a large extent based on the doctrine of *Rājadharma*. The Hindu kingship therefore is a living ideal, and not merely a theory whose value disappeared with the extinction of the Hindu state-conception. An examination of its evolution is therefore very much more than an academic and speculative problem.

The material available for the study is extensive. The *Rājadharma* chapters in the *Çanti Parvan* of the *Mahābhārata* are perhaps the most important of the canonical texts and deserve the most careful examination by all students interested in Hindu political theories. Dr. Bhandarkar has pointed out that the chapters dealing with political theory in the *Mahābhārata* incorporate many texts from earlier writers on *Nītiçāstras*. There is no doubt in any case that the theories found in the dialogues which are interspersed in the text of the epic are from other schools. A critical edition of the *Rājadharma* chapters of the *Mahābhārata* is therefore a great desideratum. Apart from the *Mahābhārata*, the theory of kingship is dealt with by Manu in his Institutes (The Mañavadharmaçāstra) and this is extremely important as his treatment of the subject is from the point of view of the king as the executive arm of law. All the Purānas deal with the subject but there is little that is original as the Puranic writers were content to follow what the *Ācāryas* of *Arthaçāstra* had laid down before them. But the *Purānas* are important in

another way. They deal with kings and dynasties and a careful study yields results which are interesting from the point of view of how far the ideals of kingship were carried out in practice. They are again the purely literary sources, the *Kāvyas*, *Nātakas* and novels. They deal in a large measure with kings and their courts and represent the prevalent view about many questions which are only discussed theoretically by professional writers on politics. Thus most of the *Kālidāsàs* works deal with kings. *Çakuntalā*, *Mālavikāgnimitra* and *Raghuvañça* are invaluable in understanding the ordinary Hindu view of politics. In fact, perhaps the best definition of the ideal of kingship is contained in the *Raghuvañça* where the great poet tells his readers the ideals of the kings whose glory he was about to describe –

.... He held the path
That Manu traced, no hair's breadth strayed his folk
From that pure model. Save to guard the realm,
No tax was taken so the Sun derives

From earth that moisture which a thousandfold
He soon gives back in rain. His armed host
Was escort only for the King, who used
Two arms alone in war, his insight keen
In Holy Lore, and bow well–strung. Mankind
Knew his deep purpose when it came to fruit,
Not sooner: fathomless his mind and ways:–
So here we reap the fruit of former lives !
Fearless he guarded, duty's path
He strictly followed, wealth he stored not grudged
To spend that wealth, and unenthralled enjoyed
His royal pleasures: wise, he spared his words,
Slightly yet patient, generous secretly,
Opposed virtues seemed in him twin-born,
By sense unshackled, straining Brahma-wards,

By duty curbed he pleasure – that his age
Brought no decay. For nurture, maintenance
And for protection looked his folk to him,
Their parents gave life only. So the king
Repressed the sinful, held the world upright,
Loved virtue, wedded for the Father's sake,
Kept righteous ways. As Indra doth for corn,
He drew from Earth her wealth for Sacrifice, –
And both alternate mildly ruled the Worlds, ...

Again political dramas like *Mudrārākṣasa* and the *Kaumudī mahotsava* and the many plays and stories based on the life of King Udayana introduce us into a world where kingship was a living factor. The importance of this source should not be underestimated. The dramatists and poets who dealt with kings and their courts were not theorists. They were giving a picture of the actual life as lived before them. From them also we

can discover how far the ideals preached in the sacred texts were actually followed by the kings.

There are then the few books which have come down to us dealing with the history of special kings and kingdoms, like the *Rajatarañgiṇī* of Kalhaṇa, the *Mañjuçrīmūla Kalpa* and the *Harṣacarita* of Bāna. Both the *Rajatarañgiṇī* and the *Mañjuçrīmūla Kalpa* are extremely important: the *Rajatarañgiṇī* as the production of a poet who was himself connected with administration and whose knowledge of ancient political theory was profound: the *Mañjuçrimūla Kalpa* as a history of India from the Buddhist point of view.

The ancient treatises on politics themselves constitute a vast subject. The *Arthaçāstra* of *Kauṭilya* has been the subject of many learned disquisitions. *Çukranītisāra* which is evidently a medieval abridgement of a fuller treatise by an older *Ācārya* is important as it shows a definitely radical tendency which breaks away from the ethical and religious associations of earlier writers in

a greater degree than even *Kauṭalya*. Kāmandaka and the later writers on *Nīti* merely abrigde the classics on the subject, while kings like Krishna Deva Raya of Vijayanagar who wandered into this realm of learning were anxious more to show their scholarship than their powers of original thinking.

Modern writers on the subject fall into three categories. Scholars who are interested in pure theory like Ghoshal, Bhandarkar, and Rangaswamy Aiyangar; their contributions have undoubtedly been very valuable especially as they have succeeded in bringing together and collating a great deal of material lying scattered in the vast realm of sanskrit and pāli literature. Writers like Jayaswal and Benoy Kumar Sirkar who combine profound scholarship with imagination and whose works are mainly directed towards co-ordination and interpretation. The third group of writers whose work is also of great importance deals with governmental and administrative institutions based on epigraphical and other records. Professor P. N. Bannerji and Dr. Beni Prasad are the

best representatives of this school. Professor Bannerji's "Public Administration in Ancient India," and Dr. Beni Prasad's "The State in Ancient India" and the same author's "Theories of Government in Ancient India" are of immense value to scholars as these are based on historical evidence, and not on literary texts.

The present writer does not claim in any way to have broken new ground or to have discovered new material. Nor does he claim to have done any original research on the subject. His purpose has been to examine the known theories of Hindu kingship in the light of modern thought, and to show how and in what manner the Hindu theory is distinctive and how it is being modified by the impact of other ideas.

Before concluding this introduction it is necessary to emphasise one aspect of Hindu thought on this question. The Hindu *Aitihāsikas* and historians had a truer conception of history than the Greek and Roman historians and their modern successors. To them history was not a matter of individual kings or dynasties: it was the history of civilisation.

That is why the *Rājataraṅgiṇī* and *Mañju-çrimūla Kalpa* do not attain the dignity of *itihāsas* or histories, but are considered merely the chronicles of kings: that is also the reason why *Harṣacarita* is considered a *Kāvya* and not a history. True history reflects the social forces of the time, and as Croce points out deals with ideas and with facts as representing ideas. This point of view is emphasised by the author of the *Viṣṇu Purāṇa*, who after narrating the greatness of Emperors, adds—

Kathā–prasaṅgétvabhidhīyamānaḥ

Sa eva samkalpa–vikalpahétu

(The achievements of the kings will when narrated as stories become matters of doubt and speculation.) The ideal of kingship is important but the greatness of kings is illusory.

ORIGIN OF KINGSHIP

THE earliest allusion to kingship in Hindu literature is, of course, in the *Vedas*. The researches of scholars have established that Vedic kingship was generally elective in character and was for the purpose of leadership against the aboriginals.

Even in the time of the Brāhmaṇas, (Circa 800 B. C.) the idea of kingship was elective. The *Aitareya Brāhmaṇa* purports to record a discussion among the *Dévas* about the causes of their defeat by the *Asuras*, and they came to the conclusion that it was due to their having no king. They therefore decided to elect a king. "The dévas, headed by *Prajāpati*, said to one another (pointing their hands, to Indra) this one is among the dévas the most vigorous, most strong and most valiant, most perfect, who carried out best any work. Let us instal him."[1] *Ṛgveda* X 124–8 describes the weaknesses of a society in which there is no king elected to lead the people

1 Aitareya Brāhmaṇa (1. 14).

against the enemy. The monarchical idea is however in a fluid state. There are allusions in the Vedas to more settled kingships, of kings claiming imperial dignity, but in spite of the efforts of scholars to extract conclusions about states and political conditions from Vedic literature, it must be confessed that the evidence of a settled life is too meagre for us to formulate any definite conclusions.

Buddhist literature, though later in time, also follows the same line of thought. In the *Aganna Suttanta*, the origin of kingship is discussed at some length. After describing the anarchy to which a society without authority was subject, the Suttanta proceeds: "Thereupon those being gathered themselves together and after taking counsel, selected the most handsome and capable individual amongst them, addressing him thus: "Come now, good being, do punish, revile and exile those who deserve to be punished, reviled and exiled. We will contribute to you a portion of our rice." He consented and did so, and they gave him a portion of their rice. Because he was

chosen by the whole people he was called Mahāssammata (the Great Elect). Because he was the lord of the field he was called *Kṣatriya*, and because he delighted others by establishing law he was called *Rājan*."

These conceptions are elective and contractual. The Epic period shows a changing idea. By the time of the *Mahābhārata*, kingship had become hereditary and the Vedic "leaders" had assumed majesty and power. The question of the authority of kingship and the allegiance due to kings had therefore to be justified not by the theory of election as in the Vedic and Brāhmaṇa periods. The question is specifically put by Yudhiṣṭhira, the Pāṇḍava king to the sage Bhīṣma, and the reply given by him may be said to be the orthodox Hindu view of kingship. Yudhiṣṭhira asks:–

"How did the title of "king" (Rājan) come into existence, and why does one man rule over persons of great intelligence and valour, although he has the same physical organs and mental attributes, is subject to

the same changes of birth and death, and is equal in all respects to the others?" The answer to these questions involves a complete account of the creation of the king's office and of the basis of his rule over his subjects. For the moment we are concerned only with the former point. There was at first, says the hero, neither sovereignty nor sovereign, neither punishment nor punisher (naiva rājyaṁ na rājāsinnaca daṇḍo na daṇḍikaḥ). At that time the people used to govern themselves by means of Justice or Righteousness (dharma). Afterwards however they became completely worn out and were assailed successively by the vices of intoxication, greed, wrath and self-indulgence. The world was disturbed, and the Vedas as well as Justice perished. The gods were frightened, and they sought the protection of the Lord Brahma. The great God created for their sake and for the good of the world a gigantic treatise consisting of one thousand chapters which treated the fourfold end of life–virtue, wealth, desire and salvation. This was called *Daṇḍanīti* and became the archetype out of which successive summaries were

prepared by the gods *Çiva* and *Indra,* and the sages *Bṛhaspati* and *Çukra.* Thereafter the gods approached Viṣṇu and implored Him to select a person deserving to occupy the highest place (çraiṣṭhyam) among mortals. The great God created by a fiat of his will a son produced out of his own lustre. This person however did not desire sovereignty, and he treated his authority as a trust (nyāsa). His fourth successor became skilled in policy and protected the people, while the next gained an empire and became self-indulgent. Then came *Vena* who was killed by the angry sages for his tyranny. Out of his right arm, pierced by the great sages, came forth *Pṛthu,* handsome, fully armed, skilled in the *Vedas* and in the science of archery. He was enjoined by the gods and the great sages to follow the established laws (dharma) without fear or favour, and with strict control of his passions. The gods and the sages, moreover, proposed to him an oath (*pratijñā*) which he accepted in the following terms: "I will constantly protect the earth in thought, word and deed, as if it were Brahman. I will carry out the established

laws in accordance with *daṇḍanīti.* I will never act arbitrarily. The twice-born classes shall never be punished by me and the world shall be saved from the danger of the intermixture of classes." *Pṛthu* was consecrated by the Brāhmaṇas and the sages as well as by the gods including Viçṇu Himself. He was king (rājan) because all his subjects were gratified *(rañjitāh)* by him, and he earned the title of *Kṣatriya* as he healed the wounds of the *Brāhmaṇas.* The eternal God Viṣṇu in person established his status by declaring that no one would transcend him. The divine Viṣnu, moreover, entered the person of the king, and hence the whole universe worships the kings as if they are gods." *

This theory in different forms is repeated in all religious and political texts dealing with the duties of kings. The variations relate to the State prior to the election of the king but the main points stand out. Human beings can find security only in and through the State. Without a sovereign authority to establish law and order and maintain peace, the stronger will swallow the weaker 'in

* Translation from Dr. Ghosal.

the manner of fish'. Kingship is therefore established as a result of a compact by which in return for protection, the people consented to obey and to pay taxes. This fish analogy is one which is persistent in all Hindu political thought and we find it repeated by all authors. The fundamental concept of this theory is the state of anarchy which precedes the establishment of the State and the evolution of kingship and the protection which the king undertakes.

Evam yé bhūtimicchēyuh prithivyãm, mānavāḥ kvacit
Kuryu rājānmevāgre prajānugraha-kāraṇāt

"It is for the welfare of the people that the people accepted the king as their leader."

This theory bears a striking similarity to the doctrine of Hobbes. The State is the conscious creation of the people for the purpose of escaping from the condition of anarchy and the sovereign binds himself in a contract with the people by which he undertakes to afford protection to them and they in turn to obey him in all matters. The comparison of the state of War described in picturesque

language in the *Mahābhārata* and in the Leviathan is interesting. Says Hobbes:—"Hereby it is manifest, that during the time men live without a common power to keep them all in awe, they are in that condition which is called Warre; and such a warre, as is of every man, against every man. For Warre, consisteth not in Battell only, or the act of fighting; but in a tract of time, wherein the Will to contend by Battell is sufficiently known; and therefore the notion of *Time*, is to be considered in the nature of Warre; as it is in the nature of Weather. For as the nature of Foule weather, lyeth not in a shower or two of rain; but in an inclination thereto of many days together; so the nature of War, consisteth not in actual fighting; but in the known disposition thereto, during all the time there is no assurance to the contrary. All other time is Peace.

"Whatsoever therefore is consequent to a time of Warre, where every man is Enemy to every man; the same is consequent to the time, wherein men live without other security, than what their own strength, and their own

invention shall furnish them with all. In such condition, there is no place for Industry; because the fruit thereof is uncertain; and consequently no Culture of the Earth, no Navigation, nor use of the commodities that may be imported by Sea; no commodious building; no instruments of moving, and removing such things as require much force; no Knowledge of the face of the Earth, no account of Time; no Arts; no Letters; no Society; and which is worst of all, continual fear, and danger of violent death; and the life of man solitary, poor, nasty, brutish, and short." (1)

Nicolo Machiavelli gives the same view in his discourse on Livy. "At first men lived like brutes; then they thought of choosing a chief for their better protection and elected the strongest man among them." Nor is this theory in any way contradictory to Rousseau's conception. The opening sentence of the "Social Contract" that all men were born free is not denied by the Hindu theorists and, in fact, is supported by Bhīṣma.

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(1) Hobbes "Leviathan", pages 64–65.

"Where anarchy prevails," says Bhiṣma, "Dharma will not exist and men will eat (destroy) each other."

Arājakeṣu rāṣṭreṣu na dharmo vyavatiṣṭhate.

Parasparaṃ ca khādante sarvadā dhigarājakam.

and then he goes on to explain by quoting Bṛahaśpati, an earlier writer on politics, what the failure of Dharma means. Where anarchy prevails.

The strong will abduct the wives of the weak.

There will be no feeling of this is mine (māmedam)

The rules of morality will not be followed.

The wicked will take away by force (other's) carriage, clothes, ornaments etc.

People will kill their own parents, old men, teachers, guests, and gurus.

Good men will be oppressed and the wicked will be strong.

The rich will live in fear of life and of being imprisoned.

Friendship will not be recognised.

There will be no ploughing, no agriculture, no trade.

Rousseau's conception of the freedom enjoyed by human beings prior to the Social Compact, as being an idyllic state is denied by the Hindu thinkers in whose view individual freedom without central authority for protection can only lead to anarchy like the bigger fish eating the smaller ones.

The Aristotlean theory of the State being "natural" finds no analogy in Hindu conception. On the other hand the Hobbesian theory is pushed to its logical conclusion of absolute obedience to the sovereign, subject to the right of revolt. As Çukrācārya says "If the king be an enemy of virtue, morality and strength, people should desert him as the ruiner of the State." The *Mahābhārata* itself does not hesitate to lay down that doctrine. "The king who taxes his people" says *Bhīṣmā*, speaking of Dāna Dharma (Chapter LXI – Anuçāsana Parvan) "but does not actually protect them should be slain by his combined subjects like a mad dog afflicted with rabies".

The contractual idea of the origin of sovereign authority is one of those vague

commonplaces which are found in early thinkers. It is the most obvious answer to the problem of voluntary obedience to an authority placed over people. In Europe the idea goes back to Plato (Republic II) and can be traced almost in lineal succession to modern times through the writings of most medieval thinkers. It is the common ground between Grotius, Hobbes, Locke and Rousseau, though each one of them uses it to reach a different conclusion. In fact no explanation short of a direct ordination of kingship by God can justify the natural character of sovereign authority except the theory of a primitive compact where in exchange for protection and security, the people undertook to obey the king.

No undue importance need be attached to the similarity of conceptions in respect of the origin of kingship. The Social Contract theory became historically important only when Rousseau derived from it the sovereignty of the General Will, by which he filled the empty barrel of this hazy conception with the dynamite of a revolutionary ideal. Undoubtedly the conception of Hindu

thinkers in regard to kingship was contractual, but we would be wholly off the mark if from this fact we proceeded to see in it the whole constitutional theory of the modern democratic State.

The king thus created by compact was naturally endowed with all authority necessary for the protection of the State, and the welfare of the people. In the words of Manu, the Lord created the king–

"Taking the eternal particles of Indra (the protector of the worlds), the wind, *Yama* (the Lord of Death and punishment), sun, fire, Varuṇa (Lord of Waters), moon and *Kubera* (the Lord of wealth.)

This text has been interpreted by Western scholars to mean that the Hindus believed in the divine character of kings. But *Manu* himself explains his meaning, "Having carefully considered the purpose, the power, the place, the time, he (the king) assumes by turn these many shapes." In fact, the idea underlying the passage is explained beyond the possibility of doubt in all texts. "The Rāja by his effulgence," says *Agni Purāna*, "is like the sun,

By his mercy to his people he is like the moon

He is like the air as through his agents he is everywhere,

He is like Yama as he punishes justly and extinguishes unlawfulness,

He has the qualities of fire as he devours evil

By his gifts he is like Kubera (Lord of wealth) etc."

The divine particles with which the king is created mean no more than the duties of his position, and the qualities which he should possess. *Çukra* states more explicit-

"The king", says he "is made out of the permanent elements of *Indra, Vāyu, Yama,* sun, fire, moon, and *Kubera,* and is the lord of both immovable and movable things.

Like Indra (Lord of Devas) the sovereign is able to protect the wealth and possessions,

As Vāyu (or Air) is the spreader of smells, so the prince is the generator of good or evil actions,

As the sun is the dispeller of darkness (and the creator of light,) so the king is the supporter of *Dharma* and the destroyer of irreligion.

As *Yama* is the God who punishes (human beings after death) so also the monarch is the punisher of all offences (in this world).

Like *Agni* he is the purifier and enjoyer of all gifts,

As *Varuṇa*, the God of Water, sustains everything by supplying moisture, so also the king maintains everyone by his generosity.

As moon pleases human beings by its rays, so also the king satisfies everybody by his virtue and activities.

As the God of Wealth protects the jewels of the Universe, so the king protects the treasure and possessions of the State".

In *Sāntiparvan* (Chapter 72), this idea is expressed in a slightly modified form. "He who dispels fear obtains great merit. There is no merit in this world compared to the gift of life. The king (as he gives

such life by protection) is *Indra.* The king is *Yama* (the God of Death). Similarly the king is *Dharma.* The king assumes these different forms. The king supports and sustains the whole." Even here there is no idea of anything but a definition of the supreme duties of kings. By no stretch of imagination can it be interpreted to mean that the king in his own person was Indra, Yama and Dharma. He has to possess the attributes of these three.

The interpretations given by Kauṭalya about these statements is equally clear. In the 13th chapter of the Arthaçāstra, Kauṭalya says as follows–

"Tatra yēnu prasamseyu sthanitarastam ca pratiṣedhayet.

Matsyanyāyābhibhūtāh prajā manuṁ vaivaçvataṁ rājānam cakrire. Dhānyaṣaḍbhāgam paṇya daçabhāgaṁ *hiranim casi* bhāgadheyaṁ prakalpayāmāsuḥ. Tena bhritā rājānaḥ prajānāṁ yogakṣēmavahāḥ teṣam kilviṣamadanda karāharanti ayōgakṣema vahāçca prajānām. Tasmad uñchha ṣaḍbhāgam āraṇyakā api nivapanti. Tasyai tadbhā-

gadheyam yo smaṅ gōpayatīti. Indra yama-stānam tad rājañaḥ pratyakṣahetadprasādaḥ. Tānavamanyamananan daivopi dandaḥ spṛçati. Tasmād Rājāno nāvamantavyapiti kṣundra-kān pratiṣēdhayēt."

"The people who were troubled on the "fish anglogy" (anarchy) elected Vaivaçvata Manu king. They agreed to give him one–sixth of their grain, one tenth of their merchandise. Governing in this way the king became capable of looking after the common-weal. He punishes as sins those who do not give and those who work against security. Even the hermits in the forest give him his share, saying "It is a share due to him who protects us." Moreover being in the position of *Indra* and *Yama*, he dispenses full protection and punishment. Therefore those who go against the king will be abandoned even by God."

What Kauṭalya tried to expound through the mouth of the spy is not the origin of kings but the duty of obedience. The king has been created for protection from anarchy, and for the promotion of the commonweal.

Obedience from individuals is due to him, not because he is in any way divine, but because he is the upholder of the social order. Disobedience to him who protects and punishes for the sake of the commonweal is wrong and sinful because it will only lead to social anarchy. Dr. Bhandarkar's view that the passage quoted supports the superhuman origin of kingship seems to be based on an entire misconception, especially when we remember that the theory does not discuss the origin but merely advances a justification for obedience to kings.

Besides, the whole conception of even reflected divinity in kings is contrary to Hindu ideas. All the earlier writers are unanimous on the point that the king is a servant of the people, getting the taxes as his wages. Dr. Bhandarkar himself quotes the Buddhist monk, Āryadeva, who in the third century A. D. defied the king by saying "Janadāsasya te darpaḥ ṣaḍbhāgeṇa bhṛtakasya kaḥ." "What pride is thine who art a mere servant of the people and receivest the sixth part of the produce as thy wages."

. It will be seen therefore that the texts which speak of the kings being created from the eternal particles of *Dēvas* have no connection whatever with the so-called divine origin. The king is in no way of divine origin, and the idea expressed by that most doctrinnaire of monarchs, James I, that the kings are as Gods finds no authority in Hindu political theory. The particles with which a king is said to be created are indicative of powers and authorities and are not meant as the ācāryas themselves explain carefully to assert any superhuman character. The statements of *Manu* that being created out of these divine particles "the king surpasses all created things in lustre" and "that even an infant king should not be despised" are only an emphasis on the majesty of kingship not on the divinity of his person, as Manu declares unequivocally (Chapter VIII śloka 111-12) "that a king who through folly rashly oppresses his kingdom together with his relations (will) ere long be deprived of his life and his kingdom". He adds, "as the lives of living creatures are destroyed by tormenting their bodies, even so the lives of kings are destroyed by oppressing their kingdoms."

No divine origin is therefore attributed to the kings by Hindu legists or political theorists. Their view may be compared with what the great Abul Fazal lays down in his preface to Ain-i-Akbari as the attributes of kingship. "No dignity is higher in the eyes of God than royalty, and those who are wise drink from its auspicious fountain......Royalty is a light emanating from God (as) a ray from the sun, the illuminator of the universe, the argument of the book of perfection, the receptacle of all virtues." Those modern writers like Mr. Ghosal and Dr. Bhandarkar, who have seen in stray texts the authority for a theory of divine origin and in the interpretation of certain words, authority for the actual divinity of kings are, as will be seen from the foregoing discussion, wide off the mark.

All texts agree that the king must obey the sacred law, must show reverence, and in fact, worship the Brahmins and shall not assume to himself functions which are not laid down in the sacred law. The oath which Prithu was made to take at the coronation

clearly brings out the dependence of the monarch and the supremacy of the sacred law.

Yanmāṃ bhavanto vakṣyanti Kārya-martha-samanvitaṃ tadahaṁ vaḥ karishḥyāmi nātra kāryā vicāranā (Çanti Parvan)

Whatever you advise me in accordance with reason and policy that I shall do.

There is another school of thought that sees in kingship a gradual transformation of the magic man into an absolute temporal authority. It is probably true that in certain communities the magic worker and the religious man acquired in due course temporal authority in his tribe, and became transformed into a king. Sir James Frazer has collected material from many primitive tribes to prove this conclusion. But the Hindu theory of kingship had no magical origin. The performance of magic and the acquirement of religious power necessary for it, were within the exclusive dominion of the Brahmins who claimed no temporal powers at all. Assumption of royal power by Brahmins degraded them and when some Brah-

min dynasty came into power, it soon assumed *Kṣatriya* status. Sir James Frazer's theory that the kingship involved a kind of personal magic by which through his priestly functions, the king was able to confer on his subjects immunity from illness etc. (e. g. the king's touch) may be true with regard to other communities. The kings in India had no such power. Whatever supernatural powers the king desired to be exercised for the benefit of the State, such as the making of rain, and the eradication of epidemics, had to be done through sacrifices by Brahmins and not by the king himself. The separation of spiritual functions from secular government which the caste system effected and the monopoly which the Brahmins claimed and exercised in the practice of "magic", in the sense of Frazer, make this theory of origin entirely inapplicable to India.

The king being the protector of the people from anarchy, the Hindu theorists held that there is no ground for legitimism in the European sense. The king who is unable to protect has broken the social compact and the right of *de facto* rulers to allegiance is

expressly recognised. To accept a usurper who restores order is to worship Indra, the protector, says the Mahābhārata. The maintenance of the social order is the first necessity and he who is in a position to do so is entitled to obedience.

The majesty of the king is therefore applicable only to his office; and the office itself becomes majestic in its true sense only with the coronation. Great importance was herefore attached to the ceremony of coronation, not only as it was a dedication to the service of the people, but also an affirmation of the covenant between the people and the Ruler and the creation of a mystic union between the land and its lord. It is important in this connection to remember that the *purānic* historians always dispose of foreign kings by merely saying "*Naiva mūrdhābhiṣikta*", "Not properly crowned and annointed."

The coronation consisted of three different types of ceremonials, one set identifying the king with the land over which he is to rule; another establishing the identity between

himself and his people; and the third invoking the grace of God and dedicating the ruler to service. In the Agni Purāṇa (Chapter 218), it is said that the king to be crowned should first be smeared with earth; the earth from the mountain top should be smeared on the head; the earth from the Viṣṇu Temple should be smeared on the face; from the ploughed field on the hand; from the stables on the feet, etc. The king and the land he rules are thereby united in a mystic bond. After seating himself on the throne, the king is annointed with different liquids from the four sides. First with *Ghi* or clarified butter by the Brahmin from the east; from the south by the Kṣatriya with milk; from the west with curd by the Vaiśya; from the north with water by the Çūdra. This ceremony establishes the indissoluble connection between the king and the different classes of his subjects. The religious ceremony invokes the grace of God and the ruler places himself under divine guidance and protection.

There are other and more detailed forms prescribed in other purāṇas. Though the forms vary and become more and more ela-

borate, the idea behind is the same. In his excellent treatise on the Court Ceremonial of Siamese Kings, Dr. Quairch Wales has shown how the Vedic system of coronation is still practised in Siam. At least from the time of Taittirīya Brāhmaṇa, circa 1000 B. C. (ii. 7. 15–17) to the present day in both India and Siam, the symbolism and the rituals of the Hindu coronation have not undergone material change. In Siam to-day, as in the Mahābhārata days, the purifactory ceremony making the king fit for his exalted office is first performed by the Brahmins and the texts offering worship to the eight *dikpālas* are read. After purification, the Abhiṣeka is performed with the waters of the *sapta-sindhu*, the seven sacred rivers. The other ceremonies performed by the Brahmins in Siam are the same in most Hindu States today.

The coronation oaths emphasise not only the duty of the king to his people, but also the dedication of his life to the service of the State. Says the Aitareya Brāhmaṇa—" If I play thee false, may I lose all the merit of my religious performances and gifts, of my

good deeds, my place, my life, even my progeny."

In the Çaṇti parvan the great importance of the coronation oath is emphasised. The text of the oath itself is of the utmost importance as showing the limitations on kingship.

pratijnañcā bhirōhasva
manasā karmanā girā
Pālayiṣyāmyahaṁ bhaumaṁ
Brahmā ityevamāsakrit
yaççātra dharma nītyuktō
daṇḍanīti vyapāsrayah
tamaçamkaḥ kariçyāmi
svavaço na kādācana.

This may be translated as follows :—

I will at all times protect the country regarding it as God. Whatever law there is and whatever is dictated by *Niti* and what is not opposed to the doctrine of justice I will do. I will not act according to my own pleasure.

Everywhere the coronation is a *dīkṣā*, a dedication. The crowned and annointed king is one whose life has become a *vrata*. Manu emphasises this point when he says that the two whose lives are permanent vows are the

Brahmins and the kings. It is to a life of duty that the king is annointed with the injunction that if either in hours of waking or in hours of sleeping, he forgets his duty to the people, may the wrath of God fall on him.

A crowned and annointed king acquired *tej̱as* or majesty in the eyes of his people. The ceremony was not essential to secure the allegiance of the subjects. *Çānti-parvan*, as we noticed, emphasises that even usurpers so long as they are able effectively to afford protection should be obeyed, because in obeying one who gives protection, obedience is being given really to Indra. Çukra (Chapter I 52/54) says equally that it makes no difference to the king whether he has been annointed or crowned, but that so long as he follows *Nīti* and governs justly, he should be obeyed by the people.

To sum up, it is clear that though originally in the Vedic period the Hindu monarchy was elective, in Epic times it had become definitely hereditary. Hereditary monarchy required a theory to justify it, and the political thinkers of Hinduism saw in a

primitive social compact the origin of sovereignty and monarchy. Once kingship became a tradition, its power naturally grew, as the very object for which the social compact was said to have been entered into, protection, required that the sovereign should be invested with all powers. Ceremonies were laid down which both exalted him in the eyes of the people and at the same time impressed on him his solemn obligations.

The Brahmin theorists emphasised the duty of protection by many rules. Only a Kṣatriya or one belonging to the warrior caste could become a king. Women were to be excluded from succession. Those who were blind, deaf or dumb, or those who suffered from incurable diseases were declared unfit to succeed to the throne. But it is not clear whether these injunctions were followed strictly. The sacred texts as well as the Nīti Çāstras lay down that the king should be a *Kṣatriya* and *Rājanya,* which latter word though lexicons declare to be synonymous with Kṣatriya, also means, according to Amara a Mūrdhābhiṣikta king. But Hindu practice never strictly adhered to this theory. The

theory of four castes was ideological and it was assumed that every king was a Kṣatriya at least so far as his *dharma* was concerned., The theory of the king being Kṣatriya is important in so far as even kings of other castes in due course came to be recognised as Kṣatriyas. Purāṇas give numerous examples of orthodox Rājās who did not belong to the Kṣatriya caste. The Mauryas were the children of a Cūdra mother and were recognised as Çūdras in the Purāṇas. The Mañjuçrimūla Kalpȧ, which contains a history of the Indian kingdoms from the time of Buddha upto Çri Harṣa, definitely asserts that the Thaneswar dynȧsty which produced Harṣavardhana was of the Vaiçya caste – " Āditya nāma Vaiçyashu, sthāneçwara nivāsinah " – is the statement in the text which makes this point unequivocally clear. The Vākātakas, another imperial dynasty, whose glory the Purāṇas describe, were Brahmins and later on adopted the Kṣatriya status. Again Mañjuçrimūla Kalpa does not hesitate to say that the great Gupta Emperors were also Vaiçyas–

"Madhurāyam Jātavaṁçāḍhyah
Vaṇik sūrvi Nripo Varaḥ"

though the author does not fail to note that they were reputed to be Kṣatriyas. (Kṣatriyāgraṇi Prokta").

Among the Çūdra kings recognised as orthodox may be mentioned Sasānka of Kāmarūpa of whom Mañjuçrimūla Kalpa says:—

> Tataḥ parēṇa Bhūpālā svāvādya bhavita tada.
> Sa ēva Çūdṛa varṇastu, Vyañga kutsita eva tu.

The Pālas of Bengal are also declared by this authority to have been Cūdras. Foreign emperors were never recognised as legitimate or as the Purāṇas say "Not properly annointed and crowned." Kings of the Brahmin, Vaiçya and Cūdra castes were recognised as not only orthodox, but legitimate sovereigns and Cakravartins. The Bharasivas and Vākātakas under whom the revival of Hinduism began, the Guptas who expelled the Huns, Harṣavardhana, who was the last proper Hindu emperor of Northern India, were all non-Kṣatriyas. Hindu ideology in due course recognised them as Kṣatriyas by their *dharma*. That process is fully

legitimate and to this day the acceptance of Rājās from other castes as Kṣatriyas goes on in Hindu society in spite of the rigidity of castes. It has even been asserted that many of the Rajput clans, Kṣatriyas *par excellence*, are descendents of Huns, Çakas and other foreign tribes who in time came to be accepted as orthodox Kṣatriyas by maintaining the Hindu *dharma*.

Nor was it only in this matter that Hindu practice differed from strict theory. Neither Smṛtis nor Nīt Çāstras recognise the claim of women to succeed to thrones. But we have many examples of queens having ruled in their own right. The Orissan inscriptions speak of two queens who reigned in Utkala. In *Rājataraṅgiṇī* we are told by Kalhana of a queen ruling in Karṇātaka territory. Çloka 151 of the fourth *Taraṅga* reads: "At this epoch a lady of Karṇāta who had lovely eyes, whose glory was widespread, protected as sovereign ruler the region of the south." Again in the fifth Tarañga, çloka 241, it is said that Queen Sugandhā assumed royal authority in person upon the prayer of her subjects. Later she was deposed and left the

palace "with only teardrops as garlands." It is, however, interesting to note that this queen headed a military revolt and attempted to regain her throne. There are numerous other examples of women ruling kingdoms in their own right and this was in no way considered unorthodox.

The fact that most of the imperial dynasties in India were non–Kṣatriyas and in fact that the prohibitions of the *Smṛtis* with regard to the succession were not strictly adhered to had important consequences. The strict maintenance of caste restrictions and customs became impossible where the kings themselves belonged to non–kṣatriya castes. Thus we have many examples of sub-communities allied to royalty going up in social hierarchy, and claiming status inconsistent with the theory of the four *varṇas.* We also witness a relaxation of marriage laws between castes. For example, Chandra Gupta II of the Gupta dynasty married his brother's widow who became the mother of Kumāra Gupta I.[1] In Kashmir, the kings frequently married Domba

1. See R. D. Bannerji Imperial Guptas pp. 26 and 27.

women and elevated them to the position of crowned queens. Chandra Gupta Maurya is said to have accepted from Selucos Nikator a Greek princess as his wife and in any case the Greeks were known to India mostly as the community which supplied the palaces with slave girls. In Sanskṛt dramas, the female attendants on kings are all Yavanis or Greeks.

In considering from the historical point of view the social position of Hindu kingship, it is necessary to emphasise that the systemisation which is found in books is mainly theoretical: the kings were not always Kṣatriyas though from whatever caste they came, they assumed Kṣatriya status in time and were recognised as such by the orthodoxy. The theory of Hindu kingship was that the king should be a Kṣatriya; but the facts often being otherwise, the theory had to be reconciled to the fact, and the idea grew up that with the acceptance of the obligations of protection in the ceremony of crowning, the king, whatever his caste, became converted or transformed into Kṣatriya. The ceremony performed even to-day in Travancore,* where the

orthodox conception of kingship holds sway, for acquiring this change of caste status, is evidence of the fact that questions of origin were not mixed up by the Hindu theorists with the problem of Kṣatriya status.

The kingship thus established was essentially secular, meant for the protection of the people, who accepted the sovereignty of the king. The king was subject to the sacred law, had to maintain and uphold the social order, to enforce justice and receive in return the obedience of his people and a share of their produce. He was no divinity; in fact, it was incumbent on him to show reverence to Brahmins and ascetics of every sect.

Theories of origin are always speculative. They are *ex post facto* justifications of political reality. While from the scholastic and academic point of view, their detailed discussion may be important, for a study of the institution of kingship importance lies not in the theories of origin which are propounded, but the powers, attributes and functions which they seek to justify or to attack. It is of no importance historically to

know whether actual anarchy preceded the establishment of kingship, but the *Matsya-nyāya* or the fish analogy is of value as demonstrating that according to all schools of Hindu thought, the main function of kingship is to afford protection in the widest sense, and to enable the people to live in a settled society. Equally it is of no importance from our point of view to know whether the particles of *dēvas* gave to the king a *dēva* character, but the theory is of great importance as indicating the attributes which a king should possess. Thus the controversies regarding origin viewed properly have significance only in explaining the theory of social obedience and should be viewed only from that point of view.

THE NATURE AND DUTIES OF KINGS

WHAT is the nature of the kingship according to the Hindu theorists? We have pointed out that in its essential conception it was secular and involved no priestly or religious functions. The so called divine origin has been found to be one without any ustification in Hindu theory. We may now examine what some writers have called the Divine Nature of Hindu Kingship. Dr. Bhandarkar especially has tried to prove that the Hindus considered the nature of kingship itself as divine and that in some cases, kings claimed to be gods.

An examination of the whole literature and not of stray texts would prove that the king was in no sense a divine person. In the whole range of purāṇas and itihāsas there is only one example of a king who claimed divinity and that is Hiraṇya who proudly declared that there was no god but himself. But his own son refused to accept

this claim and divine wrath fell on the offending monarch. The purāṇas do not fail to emphasise the moral. In fact, it is the essence of the Hindu theory that the king is a servant of the community, getting his one-sixth share as salary. We have noticed that Bhīṣma's justification of kingship in the Mahābhārata is social usefulness as the protector of society from anarchy. Mahābhārata goes on to say that in an anarchical State even a usurper should be accepted. "*Indrāya sa praṇamate namaṭe yo balīyase.*" Çukra who was a secularist improved on this. From the very moment a man attains the position of a king, through skill, might or valour, *no matter whether* he is properly annointed or duly installed or not, he shall begin to rule his subjects according to *Nīti*, and Çukra did not hesitate to say that a king is respected only for his prowess, strength and valour.

The acquirement of a sacred character by the king after his annointment is an European and Christian doctrine, and not an Indian idea. The doctrine has its roots in the primitive priest kings, the prevalence

of which custom in ancient times is traced in detail by Sir James Frazer. The Egyptian kings who were gods and were worshipped as such, and the deification of the Emperor in the pre–Christian Roman Empire have no counterpart in India.

In India kings can become *Rājarṣis* royal saints, but they have no sacred character. Though under the Christian system, kings could not become gods, they could be sacred, especially after annointment by the Church. The Grace of God is said to descend on them. Later in fact when the Papacy and the Empire began to put forward claims to plenituda potestas, Frederic Hohenstaufen, whom a perplexed world hailed as Stupor Mundi, did not hesitate to revive the claim that the Emperor was the viceregent of God in the government of the world.

The divine character of kingship has been traced by Mr. Upendra Ghoshal in his otherwise excellent book on the History of Hindu Political Theories to certain hymns in the *Ṛg Veda* and also to ceremonies identifying the king at the time of the great sacri-

fices with the god for whom the sacrifice is offered. (See pp. 27, 28, 29). Thus, he says, the Çatapatha Brāhmaṇa in the course of its exposition of *Vājapeya* and the *Rājasūya* repeatedly identifies the royal sacrificer with the god Indra. Further it is said two of the component rites of these grand ceremonies identify the sacrificer with the god *Prajāpati.* Now a little consideration would show that all Hindu worship is based on the idea of *tādātmya,* that is the worshipper becoming identified in mind with the worshipped. The idea of communion with God is in Hinduism nothing less than the identification of one's own self with God. That is the basic principle of Hindu religion, enshrined in the Mahāvākya of *Tatvamasi* and practised every day by worshippers through different mantras. It is as illogical to say that everyone thereby assumes divinity as it is to hold that the king who by Rajasūya desires the power and attributes of Indra as protector and assumes *tādātmya* with him claims to be Indra himself. In fact, Mr. Ghoshal's own arguments disprove his contentions. He says that the Catapatha

Brāḥmaṇa in the course of its dogmatic exposition of the Vājapeya repeatedly identifies the Brāhmaṇa and the Rājanya (Kṣatriya *caste*) with Bṛhaspati and Indra by equating them in each case to the common factors Brahma and Kṣatra respectively. "It appears", says Mr. Ghoshal "that the king's divinity is derived from a two-fold title as a member of the ruling class and a participator in omnipotent sacrificial ceremonies."[1] This argument is manifestly illogical. The king, it would seem, assumes divinity not because of his kingship, but because he is a Kṣatriya. Therefore his alleged divinity is independent of his kingship. It is, according to Mr.Ghoshal, the Kṣatriya caste that is divine.

Also it is noteworthy that the same Çatapatha Brāḥmaṇa after emphasising the identification of the sacrifice with the divinity to whom the sacrifice is offered, definitely states—

"The King is indeed the upholder of the sacred law for he is not capable of all and every speech nor of all and every deed." The

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1. Hindu Political Theories p. 30.

king is not only not a god, but one who is definitely subject to dharma, whose authority is limited by the sacred law.

It has also recently been held by Dr. Bhandarkar that the Gupta Emperors not only claimed a divine character but identified themselves with the supreme Deity himself. Coming from so distinguished a scholar, the view deserves examination. The learned professor in his Manindra Chandra Nandi lectures at the Benares Hindu University, says: "That the Gupta kings were raised to the dignity not of a mere god but of supreme Deity is quite clear from the fact that Kumāra Gupta and Buddha Gupta adopted the title of Parama Daivata in their formulary in the Damodarpur copper-plate grants. Parama Daivata can signify supreme Deity only and it cannot possibly be doubted that they took themselves to be identified with the Supreme Being."[1] In a note attached to the passage, the professor goes on to say, "Corresponding to Parama Daivata of the Damodarpur plates, we have Parameçwara

1. Some Aspects of Hindu Polity p. 164.

of somewhat later plates. The last phrase must also be taken to mean precisely the same thing."

With due deference to the learned professor, it is impossible in any manner to agree with this view. The assumption of the title of Parameçwara and Parama Daivata can in no sense signify that the Ruler assuming such titles identifies himself with God. As far as Iswara is concerned, it is commonly used to mean merely Lord, and we have such common forms as Niṣedheçwara, Kosaleçwara. It would be absurd to suggest that Niṣedheçwara means the god of the Niṣedha country. All that it means is the sovereign of the place. Parameçwara then, as afterwards, was used by kings both big and small without in any way identifying themselves with gods. Further, so far as the Gupta Emperors themselves were concerned, the contention is untenable in so far as they were pious worshippers of Viçṇu. Nor have we in the literature of the period or in the Purānas, any evidence of the assumption of such utterly inconceivable dignities by the Gupta Emperors. Kālidāsa, who is now

generally recognised to have lived in the Gupta Age, pays no divine honour to the kings: in fact, in his famous description of the qualities of the kings of the Ikṣwãku dynasty, which may have been meant as a compliment to the Guptas themselves, no such claim is advanced. On the other hand, this is how he describes them —

"So Raghu's line I sing–pure from their birth
Who till they won success worked on and ruled
Earth to the Sea: their car track reached to heaven
The Altar fire they tended, suppliants all
Not fully satisfied: ill deeds with stripes
They punished – nor were they slothful in their rule
Wealth they amassed to scatter: fame in war they sought
Never spoke they falsely: sparing words
Not gain – and wedded love for noble seed.

5

Their children studied, gravely, youth
pursued
Decent pleasure: and in ripe old age
Ascetic lived they – till through pious
thought
At length they passed to win the
bliss supreme."[1]

This description which though directly meant for the line of Raghu was no doubt intended by the poet to apply also to, the great dynasty in whose court he lived, is sufficient evidence not only that the kings did not put forward any claim to divinity, but that their ideal was to live as pious worshippers in old age. Again in the dramas that portray the court life even the king's flatterers do not dare to attribute divine qualities to the kings. The Gupta period has left us an extensive literature of all kinds. Is there in any one of them any passage which will bear the meaning that the king himself was identified with God? The mere use of the title of *parama daivata* cannot involve identification with God any

1 (Raghuvaṅça. Lacy Jhonstone canto I).

more than its English equivalent of Supreme Lord can be taken when applied to a prince, as indicating divinity.

Analysed, the argument of the school which sees divine character in kings comes to this. As the king is said to have been created out of the particles of certain enumerated dēvas, they argue that the king himself must thereby become divine. We have seen that this is not the view which the commentators gave to those texts, and even Manu and other writers who speak allegorically about the particles of the dēvas, themselves explain that these particles only denote functions and attributes.

The second line of argument is based on the identity of functions attributed to God and to king, that is, such functions as protection, the enforcement of sacred law, eradication of sin etc. How this equality of functions can denote the divinity of kings is not clear. It, in fact, denotes the opposite. It indicates a conception of God as governing this world, that is, performing kingly functions and is similar to the Christian conception of the invisible king.

The third argument which has been used, though not with the same persistence, is based on the use of the word Naradeva for king. The Mahābhārata has a statement in the concluding words of chapter LIV of the Çāntiparvan that the Rājās and the Dévas have been said by writers to be equal in status.

To my mind all this discussion is purely scholastic and without serious import. The points at issue are whether the kings ever claimed divine status, whether the reverence and worship due to deities were at any time accorded to kings, and whether they were at any time considered either infallible or to possess super-human powers. The similarity of godly and kingly functions, the use of names like Dēva, which is exactly like the word "Lord", do not carry the argument any further. There is no case known in the whole range of literature or of history where the kings were accorded divine honours in India, or where they claimed worship with the solitary exception of Hiraṇya Kaçipu already mentioned or pretended to infallibility.

Nor did the theory of *kingship* in India involve any claim of Divine Right. The Divine Right in Europe is interpreted in different ways: first, as the right of a king to be the source and fountain of all rights and laws, and of being above any judgment of his people by virtue of his holding his kingship direct from God. This view of what Mr. Chesterton describes as "the Divine Right to be in the wrong" is an integral part of the European conception, and though it has disappeared in relation to kings, it is still the dominant theory in relation to the *State*. The second aspect of Divine Right is merely a theory of legitimism – that the king being by Divine Right can only be succeeded by legitimate descent. Neither theory found its counterpart in India. Neither in Purāṇic times nor in historic times was importance attached to legitimist descent and de facto sovereigns according to the Mahābhārata are as much entitled to obedience in their capacity as regulators of society as those born in purple. It is this practical wisdom that stood in the way of giving the king any divinity.

It is a curious and interesting fact that it is only the modern European-educated Hindus and not the political writers of ancient times who see divine origin or characteristics in kingship. Neither Kauṭalya nor Kāmandaka nor even Bhīṣma in the Mahābhārata nor the Cukranītisāra gives more than human character to the king, and Manu emphasises that the two whose lives are governed by permanent vows are the kings and the Brahmins. In Hindu literature equally there is no evidence of any divinity being attributed to the kings. Court poets like Kālidāsa and Bhavabhūti do not even by a simile claim the king to be a god, and, in fact, till the inverted scholarship of our modern writers began to read into stray words meanings which no Hindu interpreter gave to them, the Divine Right of Kings was a conception entirely unknown to Hindu theorists. The explanation of this curious phenomenon is that it is an attempt to read into Hindu texts the counterpart of European theories, the obverse of the equally unhistorical tendency on the part of some scholars to see all democratic and modern conceptions in ancient institutions.

The fact that the Hindu religion personified certain attributès into *dēvas* like Justice as *Dharma* and Wealth as *Kubēra* naturally lent itself to statements like the sovereign exercising the functions of *Indra*, *Kubēra*, *Dharma* etc. To argue from it that the king was divine or to say that since every religious ceremony meant the identification of the worshipper with his god, the performer of a rajasūya became *Indra* is to carry scholarship to absurdity.

Essentially the Indian kings had neither in origin nor by acquisition any priestly character attached to them. The Hindu king was merely the secular arm, the protector, of dharma, and not in any sense a religious priest. In this the Hindu idea of kingship differed from the European. The Roman Emperors inherited the priest idea and the Church basing itself on Roman tradition has never been able, inspite of Machiavelli, Hobbes, Rousseau and other secular thinkers, to get rid of this fundamental connection. Constantine himself at the Council of Nicea though he was still only half a Christian was acclaimed Bishop of Bishops. And it is Esubius himself,

styled the Great, by his followers, who exclaimed thus to the Emperor. "We do not instruct thee who hast been made wise by God: we do not disclose to thee sacred mysteries, which long before any discourse of men, God himself revealed, not of men, nor by men, but through one common saviour and the Divine vision of himself which has often shown upon thee." Nor was this a personal tribute to Constantine. Titles such as the vicar of God, second David, holy, annointed etc., as applied to the Emperor was of the common parlance of the Middle Ages. Frederick II who claimed direct inspiration from God called his own followers "faithful Christians" while he stigmatised as heretics the followers of the Pope Gregory IX whom he styled the heresiarch. In fact, the claim of semi-divine character was pushed far by the medieval theorists of monarchy. Rofferdo of Benevento, the legist of the Hohenstaufen Emperor, declares "The Emperor bases his right on a gift of grace bestowed by heaven." Medieval law spoke of the Emperor as the "lex animata interris", law incarnate upon earth. The same idea of the

sacredness of kings and their priesthood persisted in European thought and is, it may be recalled, the basis of the peculiar Erastianism by which the British Parliament as representing the kingly power decides on questions of dogma, and a House consisting of Anglicans, Catholics Non-conformists and even a Parsi decided on the prayer book. It is the State as priest which acts on such occasions. How deeply this idea is embedded in European thought and how foreign it is to Indian conception may be judged from the request made by the great Arch bishop Alexis de Menzies to the Raja of Cochin to use his kingly, though heathen and secular, authority at the Synod of Diamper. When de Menzies found that opposition to Rome was strong among the local clergy and laity, and the success of the Synod which he decided to call was itself doubtful, he did not hesitate to call upon the Raja of Cochin to use his temporal authority. To de Menzies, the fact that the Raja of Cochin was an unbeliever counted for little. He was king, and as such his intervention as the temporal arm was justifiable, as even at the Holy Synod of Nicea,

it was an unbaptised emperor who presided. As he saw it the very idea of kingship implied a priesthood of God.

The conception of kingly power directly emanating from God and of its responsibility only to God was also a Hebrew conception before it became a part of Christian thought. Daniel addressing Nebuchadnezzar says "Thou, O King, art King of Kings unto whom the God of heaven hath given the kingdom, the power and the strength and the glory." The same doctrine is expounded by Solomon. "Hear, therefore, O ye kings, and understand, for power is given you of the Lord and sovereignty from the highest." (Wisdom of Solomon VI. 8) That all earthly power is but a manifestation of the supreme çakti is also a doctrine of Hinduism but in that sense it is not only the kingly power which is divine, but all power in whatever way manifested. That is the difference between the teaching in St. John (XIX ii), when Jesus addressing Pilate says, "Thou wouldst have no power against me except it were given thee from above," and the Hindu theory of the world as a manifestation of çakti. The doctrine that the

King's power was of divine origin involved in itself a conflict with the rival authority of the Church which also claimed direct devolution of power from God. As there was no organised church in Hinduism, the separation of religious life from the civil government was easy and natural. The "Jus Divinium" of the Dharma was above and beyond the State and the King was merely the protector and upholder of it through his institutions. He could neither create the Dharma nor change it. In the field of "Artha" as worldly affairs, the State was supreme.

The title of *Rajarṣi*, with which many Rulers were honoured, did not, it may be added, denote any religious function. In the case of King Janaka of Mithilā, who is the Rajarṣi par excellence, the name was meant to show both the saintliness of his life and his eminence as a philosopher and thinker, a true Ṛṣi, though a Rāja. In other cases by the performance of the Yāgas which are permitted to kings, like Rājasūya and Açwamedha, the kings no doubt claimed this title. But as Kālidāsa says a righteous king by protecting the Ṛṣis gets transferred to him one-sixth

of the Ṛṣi's spiritual wealth and thus himself becomes a Rajarṣi. The idea of the transference of a portion of the good and evil that the people do to the king is not new. In fact, Manu asserts that if an evil deed is left unpunished it visits the king who becomes, perhaps all unconsciously, an accessory after the act. Again he says, " A king who protects his subjects receives from each and all the sixth part of their spiritual merit: if he does not protect them a sixth part of their demerit also will fall on him". The Mahābhārata also emphasises this. In the *Āçrama vāsika parva*, Chapter iii, Yudhisthira is told not to forget that the good and evil of Karma of his people is shared by the king.

That is why it is enjoined that the king should devote himself to eradicating evil. Conversely, the Ruler shares in the good deeds which he encourages or renders possible by his government. In this way, a Ruler who protects the Ṛṣis and other saintly men acquires merit himself, and though in the world, becomes *Rajarṣi*. No priestly or religious meaning is attached to this phrase. It is also

noteworthy that in the *Rajarṣi Vṛlta* of Kauṭalya, the process of becoming a Rajarṣi is thus defined; control of oneself through the control of the six passions, wisdom through counsel, eyes through secret information, welfare of the common wealth through activity, the maintenance of social order through efficient management of affairs, love of the people, these make a Rajarṣi. There is no religious meaning given to the word in any texts and it is clear that every good Ruler could be called a Rajarṣi without in any sense being a holy man.

The Hindu conception of kingship was therefore as the arm of Dharma, the unchanging law, the upholder of social order, a limb of the social organism. The king had not the right of changing the laws, but he was declared to be "the Maker of his Age". This conception of the king being the Maker of the Age is one of the most important in Hindu political thought and requires careful examination.

"The various ways in which a king behaves (resemble) the Kṛta, the Tretā, Dwāpara and Kali Ages of the World", says

Manu. The same idea is repeated in other Smṛti writers like Nārada XVIII 26–33, pp. 217–8, Gautama VIII 1–11, pp. 214–5. Mahābhārata declares whether it is the king that makes the Age or the Age that makes the king is a question on which there is no room for doubt. The truth is that the king makes the Age.

'Kālo vā kāraṇaṁ rājño
Rājā vā kālakāraṇam
Iti tē saṁçayaṁ mā bhūt
Rājā kālasya kāraṇam.'

Çukra interpreted these ideas correctly when he said that the king is the Maker of the Age as the promulgator of customs. The faults of an Age are to be ascribed neither to the State nor to the subject, but to the king. Again, the king is the cause of setting in motion the customs, usages and movements, and hence is the cause and maker of the time.

The Hindu theory therefore places on the king the responsibility of moulding society, of correcting usages, of interpreting tradition and of purging the abuses of social life within the framework of the sacred law.

The sacred law he cannot change. The king cannot therefore legislate in our meaning of the term. But as the secular law of the Hindus is not only based on the Smṛtis, but also on the *acāras* or usages, the king has the right of modifying, amending or even abrogating the usages which he considers as being against the spirit of the Age. Manu's statement that the Yugas depend upon the behaviour of the king is especially significant. The Hindu conception of *Yugas* though sometimes taken also as a chronological division, is essentially a classification based on characteristics. In the latter sense, it more like the division of history into periods like the Dark Ages, Age of Enlightenment, Age of Liberalism, Age of Reason etc. What the Mahābhārata emphasises very correctly is that whether the reign of a king is to be considered as belonging to *Kaliyuga*, that is the Age of evil and darkness, or *Kṛta*, the Age of righteousness, is dependent on the ideals and policy of the king. Bhīṣma leaves us in no doubt in respect of this interpretation. He states explicitly

Kṛtam trētā dwāparaçca
Kaliçca bharatarṣabha

Rājavṛttāṇi sarvāṇi
Rājaiva yugam ucyatē.

Oh, leader of Bharatas the Krīta, Trèta, Dwāpara and Kali Yugas are all matters of the king. In fact it is the Raja who is spoken of as the Yuga.

It was this doctrine of being the makers of the Age which gave to the idea of Hindu kingship the dynamic quality which enabled such historic dynasties as the Bhara Sivas, Vakatakas and Guptas to take up the reform of Hinduism after the incursions of the Kushans and the Huns, that gave the Vijayanagar dynasty its impetus in reorganising national life in the Deccan and the Maharattas their claim to reorganise a revival of Hinduism. The historical circumstances under which the Vijayanagar dynasty and the Maharatta State undertook their tasks did not enable them to deal with Hindu Society in a comprehensive spirit, especially as the champions of a society on its defence, they could at no time forget the circumstances of their origin as the defenders and champions of orthodoxy.

That this idea of being the makers of the Age was not merely a theory but a principle followed by Hindu kings, or at least set before them as a part of their kingly duties, may be seen from the fact that in the histories of renowned kings this is invariably one of the claims made for them. In the sixth Tarāñga of Rājtarañgiṇī it is stated that—

> "Thus by a close scrutiny of this and other cases,
> he who knows how to distinguish between justice
> and injustice, ushered in the Kṛta Yuga".

The universality of this conception may be seen from the fact that even in the inscriptions of Indo China, references are often made to the kings having inaugurated a different Yuga. So late as in the time of the Vijayanagar Emperors, it is declared —

> ' Varṇāçramāṇām avanakramēṇa
> dharmaṁ sthirīkritya padaiçcturbhih
> kaliṁ punaryaih kritayadbhih uṛvyām
> kālasya kartā nripa ityadarṣi.'

"By his protection of the varnāsrama, having established righteousness on its four feet (the four castes) and thus changed the Kali Age into Kṛta, he became the maker of the Age."

Çukra in his interpretation of this conception, says "Time is divided into several periods, epochs and ages according in the first place to the movements, shape and nature of planets, and in the second place to the deeds and activities of men whether beneficial or hurtful, and great or small. The king is the cause of this setting on foot of the customs, usages and movements, and hence is the *cause and maker of time. If the age or time were the cause, there could be no virtue in the actors.*"

The king in Indian thought, therefore, has a dual capacity. He is the preserver and upholder of Dharma, the conserver of social tradition: but he is also the transformer of tradition, one who is entrusted with the duty of removing abuses, or correcting wrong development, and of moulding society to the spirit of the time. Every age of Hindu revival has emphasised these two aspects, the preserving and the innovating aspect.

It is this latter aspect which is really significant. The king is made responsible for the evils of the age, for bad and unsocial customs, for the decay and degeneracy of the nation. It is his primary duty to rule in such a manner as would not only protect the people, afford them justice and ensure their economic prosperity, but also correct the wrong tendencies in social development, and look after their moral welfare. The king as the Maker of the Age is a conception which is a necessary counterpart to the conception of the king as the upholder of Dharma.



NATURE AND DUTIES OF KINGS (Continued).

The fundamental duty laid down in Hindu books for kings is the protection of the people: to give them security of life, property and belief.

"Lokarañjanamevātra rajñodharmaḥ Sanātanḥ satyasya rakṣaṇaṁ caiva vyavahārasya cārjavaṁ," says the Mahābhārata.

The purpose of kingship being "protection" in the wider sense, all other duties are made subject to it. Thus Dhṛtarāṣṭra in the Mahābhārata does not hesitate to say that the Rājā who gives proper protection to his people is equal to one who performs a thousand Açvamedhas. In the Rajarṣi Vṛtta already quoted, Kauṭalya in describing the qualities which make a Rajarṣi mentions all the methods of protection. In fact, the importance of his Arthaçāstra is that the duties of kingship are therein visualised entirely in terms of security for the State and protection

for the people. Neither Kauṭalya noı Çukra nor any of the other writers on Rājanīti attach importance to the ethical aspect of rulership and deal with the problem of government almost wholly in terms of the material good of the State.

For the purpose of protection, and for that only, the king was given almost absolute powers. He could in times of extreme crisis collect whatever amount was necessary; in fact, he is even asked to sacrifice his own family. Prajāparipālana, the protection of the subjects, is the supreme duty. The purpose of that protection is that the people may not lapse into anarchy. As the Mahābhārata says "Ruin will overtake everything if the king does not exercise his duty of protection."

Wicked men would appropriate the property of others if the king does not protect ......If the king does not protect, impurity of birth would not be recognised: there would be no agriculture, no commerce: Dharma would disappear...... injustice would reign: there would be intermixture of *varṇas* and famine would ravage the country. Also if the king does not act as punisher the stronger will eat

the weaker according to the matsyanyāya or the Fish analogy 'jalē matsyānivābhakṣyan durbalaṁ balavattarāḥ. Under the protection of the king men being fearless can sleep with the doors of their houses open".

This passage shows the nature of the protection which the king should afford. It is not merely protection from external aggression, it is protection from injustice, from social anarchy. It is also the protection of the social order and the dharma laid down as the basis of social organisation. Maintenance of external and internal peace, the upholding of the social order, the creation of conditions under which people can live a free life–this is the wider meaning that the writers of politics give to the word "protection".

The maintenance of justice and the punishment of offenders was therefore but another aspect of the problem of protection. The Hindu view of society was almost Hobbesian in its belief that in a natural state all men are at war with one another and that like the big fish eating the smaller ones in a "natural" state, each one's hand is against everyone

else. The Mahabharata gives a terrifying vision of life without protection and emphasises that it is only by punishment, by *daṇḍa*, which is perhaps more appropriately translated as *justitia,* that civilised life exists at all. This may be compared with St. Augustine's statement, "Set justice aside and what are kingdoms but great robberies", and his interpretation of Cicero's insistence on right. What Cicero means by right as the basis of the commonwealth, St. Augustine goes on to explain, is that where there is no justice, there can be no right.

The upholding of justice, as the counterpart of external protection, is considered the supreme duty of kings.[1] Manu, as is natural in the case of a law-giver, emphasises this aspect. The different divine aspects in which the kingly power is supposed to be clothed are all, by him, related to the maintenance of justice. "Having carefully considered the purpose, the power, the place and the time," says Manu, "the king assumes the various shapes (of Indra, Agni, Yama, etc.) for the complete *attainment of justice.*" The king is asked to give his personal attention to the

administration of justice, with the help of learned and wise men and the rules of its administration are laid down with all the authority and sanction of sacred law, That the personal administration of justice in the last stage was not merely a theory but a fact in actual practice may be seen rom the allusions to these matters in literature. When the question of the escheat of a trader's property arises in Çākuntalam it is referred to the king for his personal decision. There are numerous other allusions in the dramas which prove conclusively that the injunction that the king should act as a court of appeal was not merely a pious hope.

Justitia was an exacting conception. Manu lays down "Justice being violated destroys: justice being preserved preserves." "Justice must not be violated, lest violated justice destroy us". Further the fundamental belief that the Karma of the people is shared by the Ruler, that the good and evil in the State affects the spiritual future of the Ruler was a powerful aid to the maintenance of justice. If by the good that the Ṛṣis do the Rājā becomes a Rajarṣi, the Rājā will also

become a criminal (pātaki) if he does not maintain justice and put down crime. In fact, Manu's statement that 'justice being violated destroys' is understandable only in terms of this conception that crime being encouraged, the Raja becomes an accessory to it. Manu declares (viii 304), "A king who protects his subjects receives from everyone a sixth part of their spiritual merit. If he does not protect them, the sixth part of their sins also will fall on him." This doctrine is repeated in all texts and is, in fact, a fundamental conception in Hindu political thought.

According to the Hindu conception, the king is not the fountain of justice, though he administers it. Justice is divine and its social forms are those which are laid down in *Smṛtis*. The originators of the *Smṛtis* are not kings: but Ṛṣis and other learned men. The king can only change customs as the maker of the Age, as 'Kālasya Kāraṇam:' he cannot change the laws, nor the basis of punishment which is laid down in the smritis.

Thus it is as a part of protection that the Hindu theory viewed justice. The king was

the embodiment of both the principle of social defence as well as the right of each individual to live unmolested. The origin of organised society, it was never forgotten, was to preserve humanity from being subjected to the law of the jungle. The enforcement of law was therefore considered the first duty of the king, and the essential part of *rakṣaṇa* or protection. But what was the justice that the king was supposed to administer? The Hindu theorists leave us in no doubt about it. In the Çānti Parva, the king asks Bhīṣma–

What is Justice?
What is its nature,
What is its form; what is its essence,
How again does it remain vigilant,
And maintain itself among people
How does it keep awake and continuously evolve.
Where does it reside;
What are its ways? (1)

These questions are not only comprehensive but raise all the main issues with

(1) Çānti Parva, Chapter CXXI. verses 5–7.

regard to the conception of justice as a social principle.

The reply of Bhīṣma gives the best illustration of the Hindu view of justice—

"Punishment is so called in order that the righteousness of the king who is wide awake may not suffer extinction...punishment is (an aspect of) the great Viçnu (the protector of the world). It is the permanent and eternal form of God himself. The daughter of God is known (synonymous) by the appellations of Lakṣmī, Goddess of wealth, Nîti-(Moral laws), Saraswatī (Learning) and Daṇḍanīti."

Here Bhīṣma brings out two important facts. Firstly, that justice is what binds society together, and is the great protective principle, and secondly, that economic prosperity, moral welfare and cultural advancement are dependent on justice. Justice is the basis on which society exists and evolves and eternal vigilance is enjoined on the king as his own righteousness is dependent on the maintenance of justice. Manu is equally emphatic. "Daṇḍa (penal justice) is the king,"[1] he asserts, "it is the Lord; it is the protector

and regulator of the State. The wise men regard punishment as the safeguard of social organisation."

Like a true law-giver, Manu emphasises the majesty and all pervading character of justice. "Justice keeps awake while all are asleep. The wise know penal justice to be dharma. The people are made happy only by the proper administration of justice."

With the majesty of justice thus established, the law givers and ācāryas did not leave it to be exercised at the will and pleasure of the monarch. Punishing unjustly destroys the good *karma* of a king. It deprives him of heaven and should thus be avoided. The law givers further lay down that the king shall ordain punishment to offenders according to the merits of each case after having carefully examined it with reference to the place and time and the capacity and knowledge. This is emphasised by an injunction to examine the tendencies and inclinations of the wrong doer. Kulluka Bhaṭṭa, the commentator, explains Manu's injunctions in the following manner:—

"The dispensation of punishment should be ordained everywhere following this explanation. In the context

'Anubandhaṁ parijñaya dēçakālau catatwataḥ Sārāparādhau cālokya daṇḍam dandyeṣu pātayet,'

Anubandham stands for repeated inclination or generating tendency whatever or whoever induces him to act fully knowing that (or him)–whether (he does it) owing to the hunger of his relations, or the company of religious associations or addiction to wine, gambling or to the prompting of mistaken ideas or his own will guided by others—these are instances of *Anubandha*. *Deça* means village, forest, wilderness, water, motherland, land of birth etc. *Kāla* means night, day, times of plenty and scarcity, childhood, youth etc. *Sāra* means capacity and incapacity, riches and poverty. *Aparādha* may be of 18 kinds. Having carefully decided all this according to antecedents and consequents, one should so order punishment that established order may not fail." (1)

(1) P. K. Sen, ("From Punishment to Prevention", p. 8.)

The king in his administration of justice was therefore no autocrat, dispensing rough and ready justice. He was the arm of the law, the fountain of equity and the ultimate defender of society through justice.

The commonweal of the people is the object of protection as well as of all other royal activity. Rājā is etymologically said to mean "one who makes the people love him." And Kauṭalya in defining the objects and duties of kingship declares it to be '*Samutthānēna yogakṣēma-sandhānam*;' which literally means the securing of commonweal through initiative and enterprise.

It is the active pursuit of such welfare that is laid down as the duty of the king. It was not sufficient that Dharma was upheld, that justice was administered and protection afforded. These were merely passive qualities; Kauṭalya emphasises the dynamic character of a sovereign's duty. He says–

'Prajā sukhē sukhaṁ rājanh
prajānaṁ ca hitē hitam
nātmapriyaṁ hitaṁ rājñh
prajānām tu priyaṁ hitam

tasmān nityōtthito rājā
kuryādarthānuçāsanam
arthasya mūlaṁ utthānaṁ
anarthasya viparyayah'.

Tanslated, this final conclusion of Kauṭalya means–

'The happiness of the people is the happiness of the king
Their good alone is his.
His personal good is not his true good: the only true good being that of his people.
Therefore let the king be ever active in working for the prosperity and welfare of his people: for initiative and enterprise are the causes of prosperity, as lack of enterprise is the cause of ruin.'

That the ethical injunctions of the Mahābhārata are on the same lines need not perhaps be added, but what is of importance in the Mahābhārata in this connection is not what Bhīṣma, the sage, advises Yudhiṣṭhira, but the extraordinary address of the blind Dhṛtarāṣṭra to the people of his capital about the reign of his son, Duryodhana. That

Bhīṣma should advise Yudhiṣṭhira to do only what is good for the people and should lay down the welfare of the people as the first maxim for a ruler to follow is in keeping with the character of both parties. But Dhṛtarāṣṭra's speech, it can hardly be called anything else, is something unique. The occasion may be recalled. After Duryodhana and his brothers had been killed and the Paṇḍavas established on the throne, Dhṛtarāṣṭra, the blind father of the dead monarch, lives for a time in the capital, but finally decides to retire to the forest. Before so doing, he assembles the citizens of the capital and speaks to them in justification of his son. He recalls to them how the dynasty of the Purus had ruled according to Dharma, and how each one of that royal line had worked solely for the interest of his people, and that Duryodhana himself though the cause of much destruction had not oppressed the people.

The reply of Sakalya, the leader of the citizens, to this address was as follows–

> 'Yathā Santhanunā gupta, Rājñā
> citrāñgadeña ca

Bhīṣma viryopa gōōdhēnā, Pitrāca
tava pārthiva
Bhavat buddhiyujacaiva Pānduna
prithivī kshita
tathā Duryōdhanēnāpi Rajnasma
paripālitā
Na na smōnvapi putrastē Vylīkam
kritavān nripa
pitariva suvisvastastasminnapi nara-
dhipe
Vayamasma yatha samyag bhavitā-
viditam tatha'(1)

In the same way as Santhanu, and as Citrāngada
In the same way as your father who was supported by Bhiṣma and Pandu under your wise counsel
In the same manner Duryōdhana protected us
In no way did he oppress us
With trust as in the father we lived happily–

It is moreover worthy of note that though the Mahābhārata itself is a book dominated by ethics and is called the fifth *Veda,* in the chapters dealing with the duties of kings,

(1) Asrama Vāsa Parva, chapter XII.

emphasis is laid in a most unusual manner on the secular aspect of sovereignty and on the duty that the king owes to the people. Bhīṣma even goes to the extent of saying that activity in the interests of the people is even greater than service to God, as one deals with certainty and the other with something that can only be inferred.

'Śadhāraṇaṃ dwyayaṁ hi ēted
daivam·utthānam eva ca
pauruṣaṁ hi paraṁ manyē
daivam niçcitya muhyate.'

The welfare of the people, "Yogaksemanusandhānam", is laid down therefore as the unchanging Dharma of kings, greater than direct achievement of religious good, the performance of yag̃nas and other religious ceremonies. Naturally, therefore, it follows that in deciding what is the good of the people, the Rājā must follow not his own will but the will of his subjects. On this matter also the texts speak with one voice. The Mahābhārata, in a picturesque simile, asks the king to consider himself like a pregnant woman and explains it as follows – "Just as a woman who is

pregnant at inconvenience to herself and suppressing her own pleasure, does what is good for what she carries in her, so the Rājā who follows his duty, setting aside his own inclinations, follows the will of the people".

'Yathā hi garbhiṇī hitvā
Svaṁ priyaṁ manasōnugam
garbhasya hitamādattē
tathā rajñopi asamçayam
Vartitavyam Kuruçre ṣtha!
nityam dharmānuvartinā
Svaṁpriyaṁ samabhityajya
yadyat lokahitaṁ bhavet.'

Nor do other teachers emphasise this principle any the less. Kauṭalya, Çukra and Kāmandaki, apart from the authors of Purāṇas, who repeat these injunctions as matters on which there can be no doubt, lay it down as the first principle of *Rājanīti*. In a matter which is so universally acknowledged and which no writer has disputed, it is unnecessary to multiply texts. The more important aspect of it is that the kings themselves always proclaimed this principle as the one which guided them. The inscriptions of all great

kings emphasise their adherence to the principles of Rājadharma and the Ganga kings even proclaimed with pride that they assumed royal dignity with the sole object of working for the welfare of the people. The words they used are important – 'Samyagprajāpālana-mātrā-adhigata-raja-proyōjanasya' – which literally translated means "of the king, who recognised the use of royalty only as a means of protecting his people well ". Nor was this an empty boast. The other orthodox dynasties also assumed such titles as Dharma Mahārājadhiraja (Pallavas).

The Ruler's duty to uphold the social order is a part of his duty of protection and has always been considered as such. We have already pointed out that this maintenance of social order was in no way to be interpreted as the maintenance of an unchangeable tradition. The king as the Maker of the Age was to correct abuses, modify customs and set in motion tendencies which would lead to the establishment of better social justice. But such changes and modifications must be in keeping with the principles laid down in sacred laws, and

should not go against social discipline. The social order is to be protected. The discipline which binds society is to be maintained, but it was an essential part of the king's duty to ensure that customs and practices which had lost their meaning and had merely become dead weights on social progress should be eliminated.

Not only was the king enjoined to look after the moral welfare and contentment of the people, but their economic prosperity was also to be his special care. It was his duty to encourage trade and industries, especially to look after cultivation and to secure for each the fruit of his labours. The Nīti-çãstra writers press this point of view more than even the writers on ethics. The secular view of kingly duties naturally helped to emphasise this point, and Kauṭalya does not consider a king as in any way fulfilling his functions satisfactorily if he does not encourage economic prosperity. Taxation was to be easy and light and the king was to take only one-sixth of the produce, and in the case of merchants, only a tax on goods.

The king was especially the protector of the *gaṇas* or the corporations. As protector of Varṇāçrama, he upheld society. As protector of the *gaṇas,* he upheld and encouraged free economic life. Naturally, under a system of corporations, economic life was largely independent of political activity, and to a great extent unaffected by political changes. The important point in this connection is not either that the State helped in the growth of a healthy economic life, or that it did not, but that economic life was controlled by corporations which dealt directly with the State and were under the immediate protection of the king.

The duties of the king being secular and the conception itself being unconnected with religion, we may now enquire into the position in which the king stood to the religious life of the country. It is necessary to remember that in India there was at no time an organised Church. The absence of a Church means also the absence of a heirarchy which puts forward rival claims to social obedience. Brahmins, though a priestly class, exercised no collective power, and their authority to

bind and loose the conscience of men had no institutional sanction. All that even the highest ṛṣi could do was to utter a solemn curse. There was no question of excommunication, anathema or interdiction. Moreover, the theoretical exclusion of functions which was the basis of caste society involved the exclusion of Brahmins—as a caste, not as individuals—from political power. The difference between Dharma and Artha, between Brahma and Kṣatra was always kept clear beyond doubt, and even Brahmins who became kings accepted in course of time the Kṣatriya status. While it is true that the position of the Brahmins rendered it impossible for the king to develop into an autocrat, the Brahmins themselves could never develop into a theocracy in the absence of a spiritual head. As a result, the medieval distinction between the City of God and the City of Man never found any support in India. The Hildebrandian view of society in which as against secular power, the priestly vicegerent of God would govern the world, exercising sway over kings and states in the name of God, was totally alien to Indian conception, and it naturally

followed that the principles of such thinkers as St. Thomas of Acquinas and Eggedio Collona, by which the city of man should be subject and must at all times subordinate to the city of God, and the Church Militant should stand grasping the two swords of temporal and spiritual power was unknown to Brahmin thinkers and was against their view of religion.

It is also well to remember that the claims of State absolutism which in different forms still hold sway in Europe, both in democracies and in autocracies, arose as a challenge to the theory of theocratic absolutism. It was seen in the discussion of the character of Hindu kingship that the autocracy of the king in Europe developed really as a rival claim to the Church's vicegerency of God. As against the Pope, the Emperor claimed to be the agent of God for mundane affairs and both Church and State were united in holding that absolute power as derived from God existed in some authority. The exclusion of the Church from temporal matters only transferred these claims to the secular State. Hobbes, Bodin, Austin and others are there-

fore the direct descendents in spirit equally of Hildebrand and Eggedio Collonna on the one hand, and of Peirre de Vigne and Marsilius de Pavoda on the other. The State in Europe is supreme: it is not bound by any will other than its own and no conception of moral right binds it.

The Hindu kingship never developed into this autocracy. The Hindu king was merely one limb of the body politic which consisted as Kauṭalya says, of the king, the council (i.e. the government), the durga, the fort (i. e. the Army), the people, the treasury, (i. e. economic prosperity and public finance), and the territory. This integral conception of the body politic is a feature of Indian political thought and was emphasised by all writers. It will be noticed that the Church or its equivalent finds no part in this. The various parts of the State are described as including the government, the people, the army and finance apart from the king and the territory over which he rules. This idea of the king being only one limb and not the symbol representative of the whole as in Western thought stood in the way of a theory of autocracy.

The most powerful king could not make himself the combination of all powers because such an idea was not only against the Rāja-dharma, but against the prevailing conceptions of the people.

Besides, there was the caste society, organised on a basis which it was impossible even for the most powerful king to interfere with. The caste society in its institutional aspect was only an ideological fiction as Emile Senart has pointed out. But its vice-like grip on the thought of the people and the "empire of the mind" which it exercised was such that any attempt to weaken or undermine it was considered not only revolutionary but almost an unforgivable sin. The caste society involved a theoretical distribution of functions which barred the way of a monarchical absolutism. No monarch however powerful could for example elevate a çūdra to the position of a brahmin. The essential idea underlying the autocratic state is that there is nothing beyond its legal competence. It was, apart from going against physical laws, omnipotent with regard to the conduct, opinion and relations of men. It

could as in Ireland, declare that there was no Catholic who was worth more than £ 5, or as in the case of the Moors of Spain, Hugenots of France and Jews in modern Germany, expel or expropriate on the ground of religion, race or opinion. The Hindu State never claimed to possess such rights, because the idea of State absolutism was unknown to the Hindus. They recognised the limits of obedience due to the State and had in that matter a better conception of human values than the European theorists who combined in the modern state both the City of God and the City of Man.

THE KING AND THE STATE.

According to Hindu conceptions, the King and the State were in no sense to be identified. The theory of "l'etat c'est moi" never found any support either with the writers of Nitisastras or with the rulers themselves.(1) In fact their idea of the State

(1) While it is true that the Indian conception of the State was an integral one and therefore gave no countenance to the theory which is expressed in the term "l'etat c'est moi", there is a statement in Kautalya which has been interpreted by scholars to mean that the king and the State are one and the same.

Kautalya says that "Rajā rājyamiti prakṛti saṁkṣepah" which means that in brief, the constituent elements, (the seven constituent elements discussed) can all be resolved into the King.

There is a vital difference between this point of view and the statement of the King and the State being the same. It is important first of all to note in this connection that Kautalya has discussed in detail the seven constituent elements. He attaches value to each and points out the position of each in the body

was that it consisted of seven "prakṛtis" or constituent elements. "The State," says Kauṭilya "is an organism of seven limbs, the "Swami" (or the sovereign), the officialdom, the territory, the fort, the kosa, the army and the ally." Every writer develops this integral connection between these seven *prakritis.* Now what are these seven units? It is accepted in all political theory that a State must have a sovereign, a recognised territory; and an officialdom. Amātya as a "limb of the State" signifies that without institutional organisation, a State cannot exist. The executive machinery is an organic part of the State as modern bureaucracies are never tried of emphasising and Hindu theory justly recognises this idea. The fort and the army are considered independent units of the State, as protection is according to Hindu theory the main function of the ruler. It is perhaps significant that in most modern States, defence is outside the realm of

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politic, and the statement, therefore, could be only interpreted to mean that the other constituents of the State are all included in the term "Sovereign".

ordinary administration and civil government. The Hindu view approximates to the Japanese and German practice of treating the defence of the country as independent of the administration of the State. *Kõsa* or treasury, denoting public finance is also a separate factor. The ally, or foreign policy, is the last. Here the Hindu writers hold the view that a State without a foreign policy is not fully sovereign because the protection which is the object of the State would be imperfect without allies and that the fort and the army would become weak and open to the attack of enemies.

Stated briefly, without reference to the technical terms which the writers on Niti-çāstras use, the Hindu State involves a defined territory, a "Swāmin" or supreme authority, an organisation for executive government, military power, foreign policy and sound public finance. Without any of these, no State is considered as being a "Rājya". The King was therefore only one of the constituent elements—no doubt a very important element as the head of the State and as the authority in whom was vested the direction of affairs.

All that Kauṭalya means when he says "Rājā rājyamiti prakṛti saṁkṣēpaḥ" is that the supreme authority in the State implies all these and not that the King without the other prakṛtis can constitute the State.

The King in relation both to other kings and to his State is governed according to Hindu theorists by the three çaktis (different kinds of power), all of which are in various degrees essential features of his kingship. These çaktis are termed *Mantraçakti*, *Prabhuçakti* and *Utsāhaçakti*. Mantraçakti means the power derived from good counsel, deliberation and intelligent direction of policy. Prabhuçakti or Koṣaçakti is the power derived from the economic and financial resources of the State. Utsāhaçakti indicates the power to act, i.e. the power of the armed forces. It is clear that kingly power–in fact, the power of every State–rests on these three. Without them, sovereignty is only a form. What gives life to the form is the combination of these three powers.

This division of powers is interesting as it shows that the Hindu theorists recognised the inter–dependence of high policy, sound

finance and armed strength. It is equally interesting to note that they considered it axiomatic that Mantraçakti or the intelligent direction of policy to be superior to the other two. Kauṭalya includes in his definition of Mantra,[1] five elements–deliberation of the methods of initiating a policy; determination of the persons and the ways and means of expenditure; the consideration of the suitability of time, place, etc.; the overcoming of obstacles and successful termination. Mantraçakti, therefore, involves according to Kauṭalya, financial and other considerations. In fact, he pours scorn on those rash monarchs who think that through armed strength alone, without intelligent control of policy, they can achieve anything. He lays down the theory that army is but the instrument of high policy which has been decided upon after taking into consideration all the five aspects of Mantra.

The question of the private and public morality of kings is one which finds different treatment in ethical and *nīti* treatises. In the Mahābhārata, the conflict between the two is

1. Kauṭalya II Maṇtrādhikara prakarana.

emphasised as for example when king Yudhiṣṭhira is forced to tell a lie in order to secure the defeat of Droṇa. He was advised by Çri Kṛṣna to announce in the hearing of Droṇa that the latter's son, Açwatthāmā, had been killed in battle, and when that saintly King protested that even for a kingdom, he was not prepared to utter untruth, Kṛṣna salved his conscience by pulling down a mud elephant after naming it Açwatthāmā and justified his action on the ground of political necessity. But Mahābhārata as the text book of ethics does not accept the plea of political necessity and insists on taking Yudhiṣṭhira to the purgatory as a punishment for the sin of having told this single lie. The conflict between public and private morality which this story emphasises is of course a fundamental one in politics. The Nítiçāstra writers, from Kauṭalya downwards, while recognising the conflict, relegate the ethical ideas to the realm of private morality and hold that while the King personally should be a good man, in the conduct of public affairs he should only be guided by policy. The Hegelian solution of this conflict by

the doctrine of the State being considered as the realised ethical idea and therefore entitled to claim allegiance to itself as the highest ethical duty of man does not find expression in Hindu thought. The Hindu writers insist on the other hand that as the State alone affords protection and makes virtue possible, for the protection of the State all means are permissible. A King who does not protect his State by all the methods possible, whether moral or immoral, is considered to be unfit for his position. Kauṭalya especially lays down the theory that the State is above morals and the King should not in public interest hesitate to poison and assassinate secret enemies within the State or to create disaffection in other States.

Rules of public morality should not stand in the way of policy and Kauṭalya does not hesitate to carry this teaching to its conclusion. When it is considered that the Artha Çāstra lays down that the King should be virtuous, subdue his passions and conquer himself, the extent of this conflict between public and private morality will be recognised. In this respect, the Hindu

political theory approximated to the realist school of Europe of which Machiavelli is the most celebrated exponent. Like Machiavelli Kauṭalya and his successors also insisted on private virtue, but where the interests of the State were concerned the king's private virtues were in no way to restrain him. Kauṭalya advises kings to get rid of the members of the royal family through secret agents. Again in order to put down disturbers of peace, he does not hesitate to advise the use of agents provocateurs. The use of prostitutes and gamblers for spying is advocated and the common method of sowing dissensions among powerful corporations is recommended. These suggestions show a family likeness to what the Florentine publicist advocated in the 15th Century.

Not only the Mahābhārata and other books on ethics, but writers on Nitiçāstras also proclaim the absolute authority of the King over the people and the co-relative duty of the subjects to obey. In fact, Hindu theory confers no rights on the individual. The idea of liberty as such is absent in the conception of the State. It is the principle of protection

that is emphasised and as a result, the subject in relation to the ruler has no legal rights beyond that of rebellion. Çukrācarya in chapter II definitely lays down that if the King be an enemy of virtue, morality and strength, the people have the right of rebelling against him. Nor is this the doctrine of a radical thinker. The Mahābhārata itself gives unequivocal authority to the theory that the people may rebel and depose a tyrannical ruler and illustrates the doctrine from earlier examples of such rebellions and the desposition of legitimate kings. The Hindu theory, so far at least as the relation between the ruler and his subjects is concerned, approximates to the Hobbessian idea of a despotism tempered by the right to rebel. The restrictions to which the kings were subject were ethical and based on Dharma. The laws of Dharma, a ruler cannot override but the individual cannot claim protection on the basis of a Dharma which the King is morally bound to follow. The idea of personal liberty was therefore unknown as a political conception and could not develop in the absence of a Church with coercive powers which could stand up to the

ruler or a nobility which could enforce its demands by continuous threats of revolt. It is well to remember that the development of the idea of personal liberty in Europe was the outcome of the fight between the nobles and the King. The Magna Carta itself was what the nobles with the support of the Church extracted from the King. But it must be stated that neither the Magna Carta in England nor the rights and privileges of corporations generally in the Middle Ages involved the conception of liberty as understood it to-day. The true conception of liberty in a State can only be understood, maintained and upheld either by Courts of Law or other similar institutions. It is also clear that in the ultimate analysis as against the State, the citizen can enjoy no liberty. No method has yet been evolved for guaranteeing that elusive privilege. All democratic nations make provision for what is known in the polite language of constitutional law as the suspension of constitutional guarantees; that is to say that in an emergency of which the State alone is the judge, all civil liberties can be abrogated. Even in England, alleged

to be the home of liberty, the experiences of the period of the Great War have proved that in the circumstances of modern life, liberty is a fair weather fiction, tolerated so long as it is convenient to the State. Yet, generally speaking, in the 150 years which have followed the American and French Revolutions, humanity has come to attach value to the conception of the individual having rights as against the State and the liberal political experiments, whatever measure of success they have achieved, have all been directed towards the single object of safeguarding to the individual a feeling of his own worth, independent of the sovereign and the State.

Hindu political theory made no effort towards this. The individual, as such, had no rights. The ruler was asked to be a benevolent despot, a father to his people. Numerous are the injunctions meant to bring home to the King the necessity of being loved by his people. "The most miserable king," says Çukra, "is he whom the subjects look upon with terror." The best of kings," says the Mahābhārata, "is he in whose territory

the people go about without fear as sons in their paternal home: where the people do not have to hide their wealth; where the Ruler knows right and wrong."

'Putrā iva piturgéhe viṣaye yaṣya mānavāḥ
Nirbhayā vicariṣyanti sa rājā rājasat-
tamaḥ
agūdha–vibhavā yasya nara rāṣatra-
nivāsinaḥ
nayā-panaya- vettā yas sa rājā rājasat-
tamaḥ."

That undoubtedly was the ideal, but liberty is not guaranteed by the enunciation of ideals. What was there in the Hindu State organisation to prevent a bad king from ignoring these ideals even in ordinary circumstances. The Rājataraṅginî which is the only detailed history, apart from geneological details, which has come down to us, shows that many kings did actually set at nought these principles and grossly oppress their peoples. The remedies open to the private citizen were in practice nothing at all. Systematic oppression can be remedied by rebellion or by resistance; but the conception of liberty involves not merely the vindication of public

rights when violated on a large scale, but when violated in regard to the poorest and meanest individual. That principle was totally unknown and unrecognised by Hindu theorists.

As we have pointed out earlier, the Hindu conception of the State is significant in so far as it has no theological aspect. The State and the religion are unconnected. The Hindu State deals only with the relations of man with his fellow beings and *not with God*, and hence the king has no sacredotal character. His duties are entirely secular and his relations with his people are governed not by the plentitude of power given to him by God, but by the secular duties of his office.

How, it may be asked, in a community so dominated by religious beliefs, was such a separation possible, and how was it given effect to. The answer is simple. The idea of giving unto Caesar what is his and unto God what is His laid down by Christ as the eternal principle of relations between civil and religious authority was possible in India because there was no Church which claimed rival authority to the State. The Hindu

religion was personal and not institutional and as such the conflicts which arose in Europe about the primacy of the City of God and the city of Man had no place in India. There was not even a priesthood, as such, in India. The Brahmin caste which claimed the monopoly of religious knowledge was never a priesthood in the Western sense, with a unity of interests and a common spiritual allegiance. The idea of the Church combining the powers of Caesar and of pontifex maximus was impossible in a society which denied altogether the right of ecclesiastical organisation and whose fundamental religious beliefs were based on the practice of the individual dharma. Equally alien to the Indian conception were the pretensions of the monarchist schools whose great champions in the Middle Ages were Dante and Marsilius of Padova. In the absence of a Church with coercive powers and a priesthood with authority to bind and loosen, theocratic pretensions such as Hildebrand put forward were impossible in India. Equally impossible was it for kings to develop the theory of supreme authority, of State

omnipotence, in the absence of legislative powers, as the dharma laid down in the sacred books was above kings and priests.

Further, the inescapable connection between caste organisation and society rendered it impossible either for the Church or for the State to put forward claim to absolute power. There is ample evidence to prove that the absolute division into four castes was theoretical, but that does not take away from the fact that Hindu society was organised on the basis of innumerable castes, all connecting themselves with and bringing themselves into the fold of the four varnas. Mightier than kings and priests and secular in its essential organisation stood this caste society, making the kings powerless in regard to social life and nullifying even the claims of Brahmins to everything but reverence in this and the control of the next world.

It was not only the absence of the Church that differentiated the Hindu State from the Western conception of it. There was also no aristocracy in the proper hereditary sense in Hindu society. It should be remembered that the aristocracy of graded rank such as there

exists in the West, is the outcome of the feudal system. The Roman Empire even unde the Caesars had only an aristocracy of office, consul, senator and the like, and no territorial nobility. It was when the feudal system came into being that an aristocracy based on the ownership of land, with hereditary privileges, came into existence. The king was the primus inter pares and the nobles could say, as they actually did in Spain, that they were in every respect the equals of the king except in money. The conception of the State as the three orders, the Clergy, the Nobility and the People, was essentially feudal and in the absence of hereditary territorial rank, the "Estates", as such, find no place in Indian theory. The Sāmantas and Maṇḍalē-çwaras in Hindu kingdoms were, properly speaking, not nobles but kings, who had been conquered but allowed to continue in their position by the bigger States. In relation to their own subjects, they had the same obligations and the same duties as other kings, Neither Kauṭalya nor any of the Nîtiçāstra writers speak of the nobility. The epics also make no allusion to the nobles in a State.

The machinery of government which is described in full detail takes account only of officials. The aristocracy, as such, did not exist.

One reason for this absence of hereditary nobility in monarchical States in ancient India is the existence of the caste society. The horizontal division which the caste postulated made any other alignment on the basis of birth impossible. A hereditary aristocracy could not therefore come into existence with any sense of community of interests. Caste system made it impossible for the big landowners to form into a body of nobles.

The only nobility known to Hindu political experience was in the case of the tribal oligarchies like the Vṛṣṇyandhaka Bhojas of the Mahābhārata, the Lichchavis, the ākyas and the Maukharis of the early Middle Ages. The Vṛṣṇis and the Andhakas were Yādavas and it is clear from Mahābhārata that their government was conducted by an oligarchy of nobles. While Kṛṣṇa was the head of the Vṛṣṇis, Babhru and Ugrasena were the chiefs of the Andhakas. The Vṛṣṇis called themselves a Rājanya gaṇa, or corporate

sovereign body. In the historic period, we have the Lichchavis about whom both Hindu and Buddhist literatures give fairly full and accurate information. In the Lalita Vistara (Lezmann's edition, page 21), it is said of the Lichchavis that each one of the tribe considers himself to be a king. (Ekaika eva manyate aham rājā aham rājeti.) This aristocratic tribe, like the Serenities of Venice, acquired almost imperial status, and the greatness of the Gupta dynasty is claimed on the basis of their marriage with a Lichchavi lady. The Çākyas also had an aristocratic organisation. But these are States where the sovereignty was in the hands of an oligarchy. We have no example either in the epics or in the Purāṇas of a monarchical State in which there was a hereditary aristocracy.

If then the first and second Estates did not exist, what was the position of the third Estate, or the people in relation to the king. The king was admittedly the sovereign and the protector of the people; but it was made equally clear that he was the servant of the commonwealth. The idea which is emphasised by all the writers from the earliest times to

Çukra is that the taxes in a state were the wages paid to the king by the people for his services. The Mahābhārata, Manu and all the other writers on Rājadharma lay this down as an axiom. Cukra expresses the idea in the most explicit terms as follows: "The ruler has been made by Brahmā a servant of the people, getting his revenue as his remuneration. His sovereignty is only for his protection."

sva bhāga bhrityā dāsyatvē
prajānām ca nripah kritah
Brahmanā svāmi rūpē stu
pālanārtham hi sarvadā.

Sovereignty is merely the form and authority only the method by which the king may serve the people. But in what relationship did the people stand to the king ? The texts lay down that the king should look upon the people like his own children. That is merely an ethical conception, an imaginary bond which conferred no privileges and imposed no obligations. Was

there any association between the people and the ruler? Hindu political theory, as opposed to practice, recognised none. The ruler had only the obligations of enlightened self-interest and the ethical duties imposed by Rājadharma. The nītiçastras lay down no institutional relationship between the people and the ruler.

It may be said that both the text books on nīti and the literary and historical records speak of *Rājasabhā*, or the Councils of the King, and that Çukra, for example, gives the details of the Council House in which public questions should be considered and discussed. Undoubtedly, the kings had their councils; no man can govern a State by himself. He must necessarily take advice, consult his friends, discuss his projects. Cukra even says:—

"Even if the work be a trifling one, it can be performed only with difficulty by a single person. How can the great affairs of a kingdom be attended to unassisted? Even when the king is gifted with exceptional knowledge and is a master of the Çastras and is expert in statecraft, he should not by

himself decide on political matters without the advice of his Ministers. The sagacious ruler should accept the considered advice of his Ministers, officers, and subjects who take part in discussions, and not be guided by his own visions." (Chapter II)

The ministry was of course an integral part of the State. Even Manu calls a king who tries to rule by himself as unfit for his duties. It was always a maxim with Hindu theorists that the views of the Ministers' Council should prevail over those of the king. That this was not merely the theory but the actual fact of Hindu constitutional practice is proved by epigraphical records. Rudradāman's proposal to repair the Sudarçana lake was overruled by his Ministers' Council. Rājataraṅgiṇī gives numerous examples of the Ministers overruling the suggestions of the king. In fact the relations between the Ministers and the monarch were governed by a rigid code. For a detailed discussion of the subject I can only refer the reader to chapters XXX & XXXI of Jayaswal's Hindu Polity.

What was the work of the Ministers' Council ? Apart from what might be called

the departmental work of each individual Minister, the functions of the Ministers' Council included the following according to Bhāradwāja as quoted in Kauṭalya:—

Mantro, mantraphalāvāpti
Karmānuṣṭānam aya vyaya karma
 daṇḍapranayana
Rājyarakṣaṇam
Vysanapratikāra
Kumārarakṣaṇam
Abhiṣekhaçca
Kumārāṇām ayatham
Amātyeṣu.

While this is a comprehensive definition of ministerial functions one fundamental difference between ministerial responsibility as understood to-day and the responsibility as envisaged by the Hindus should be noted.

The essential question is who chooses the advisers. If the ruler himself chooses his advisers, or the advisers are only his officials then the people, as such, have no voice. It is only when the people decide who should give advice on their behalf to the king, that they can be said to be integrally connected

with the State. That right of advice may be through representative institutions, through corporations, through caste panchayats, or through other similarly constituted bodies. In the theory of Hindu kingship, no such right is given to the people.

In practice, however, the position was different. Mr. Jayaswal has shown by numerous examples that whatever the theory of the sole right of the king to govern might have been, the people developed constitutional rights in practice. The growth of the commercial Gaṇas or corporations also gave to the people the right to be consulted and made them an integral part of the State. In the "Nārada Smṛti", there are statements which clearly prove the existence of State-recognised corporations such as Naigamas and Gaṇas. The Naigama is explained as a corporation of citizens. The Çreṇis or traders' guilds and the Gaṇas or general corporations with civic rights were also recognised institutions. These latter exercised judicial power also. Çukra in chapter IV, section V, says: "The Çreṇis will try cases not tried by "Kulas"; the

Gaṇas will try the cases left by the Çreṇis". Manu himself recognises the judicial authority of the self-governing associations of citizens. He says: "Jāti jānapadān dharmān çreṇi dharmāñçca dharmvid samīkṣya kuladharmāñçca swadharmaṁ pratipādayet."

The inscriptions at Nasik and Juvinar bear witness to the flourishing guilds of artisans. Potters, weavers and other communities were organised on an occupational basis, and they were largely self-governing.[1] The king dealt with them through their headmen. The rulers themselves entrusted endowments for administration to such guilds. The existence of these corporations gave an institutional character to the relations between the people and the State which did not find a place in pure theory and it is important to note that the epigraphic records fully bear out the rights which these corporations enjoyed. Apart from this, certain

1. Epigraphica Indica Vol. VIII, 82-88.

privileged classes possessed special political rights.[1]

We have now discussed the king's relations with the church, nobility and the people, or in Western phraseology, the three estates, and shall proceed to examine the relations between the ruler and the administrative machinery–the officialdom which, according to Hindu theory, is one of the constituent parts of the State. In this matter, the Indian

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1. The political position of the pauras, naigamas and Jānapadas has always been a matter of doubt and difficulty. That they exercised independent political power within the State and in some cases even issued coins is clear from epigraphical records. These institutions are also alluded to continuously in literature. For example in the Ramayana it is said

> Brahmaṇah janamukhyaçca
> Paurah jānapadai saha
> Samētya mantrayitvā tu
> Samatām gata buddhaya

Kharavēlas inscriptions speak of them; even in medieval times they continued to exist and to exercise great political power. Best informed opinion holds that pauras were corporate bodies of citizens: that naigamas were commercial corporations: that jānapadas were popular assemblies.

thinkers were far in advance of European political theorists. Until the beginning of this century no European writer on politics ever realised the integral connection between the State and the Civil Services. To them, the problem of the State was the problem of reconciling liberty with obedience. European thinkers till our own day, drawing their inspiration either from the futile speculations of Greek philosophers or from the legists of the Roman(both imperial and ecclesiastical) tradition were concerned with the theory of sovereignty. In India, the essential question was not the philosophic basis of sovereignty, but the organisational character of the State.

Thus when Aristotle was discussing with puerile systematisation the different kinds of States, his contemporary, Kautalya, who enunciated the doctrine that the activities of the State should be solely for the welfare of the people (Yoga–kṣema sandhānam), was concerned with the organisation of the great departments of State. The more important civil departments that he

enumerates and discusses are the following:— accounts; revenues; mines; arsenal; customs and taxation; agriculture; excise; and animal husbandry.

The administrative organisation of the State is prescribed by Kauṭalya in great detail. The State was conceived as a complex of the activities of its arms or departments, which covered every sphere of the life of the people. Through its departments of storehouse, commerce, forest produce, weights and measures, tolls, weaving, agriculture, pasture lands, and liquor the State controlled the economic life of the people. Yājñavalkya even lays down that it is the duty of the king "to discipline and set right families, castes and all guilds and associations–Çreṇis, Gaṇas, Jānapadas–who may have deviated from their duties."[1] No part of the activity of life was left uncontrolled. Among the departments mentioned by Kauṭalya was one to control prostitutes. Municipal organisation was equally insisted upon. That these were not merely theoretical elaborations but descriptions of existing

1. Quoted in Beni Prasad–Theory of Government, p. 175.

institutions can be seen from the detailed instructions regarding the work of the account office, for example, in Artha Çaṣtra. Kauṭalya describes the appurtenances necessary for the offices, seats for clerks, shelves for account books etc. He proceeds then to indicate the various sections of the department; there was to be a separate section dealing with financial transactions with neighbouring States; those dealing with Çreṇis, Gaṇas and other forms of corporations were recorded in another section. The accounts of government commercial operations giving "the description of the work carried on, and of the results realised, the amount of profit, loss, expenditure, delayed earnings, the amount of Vyāji (premia in kind or cash) realised, the status of the government agency employed, the amount of wages paid, the number of free labourers engaged, pertaining to the investment of capital of any works" are to be carefully kept in another section. There was also a section where the precious gems were weighed, registered and deposited.

The organisational and administrative character of the State was thus emphasised

by the writers of Artha Caṣtra. To them the theory of sovereignty mattered little. Political organisation in the sense of autocracy, aristocracy and democracy about which the Greek writers were concerned hardly affected Indian thinkers. They took monarchy as the norm of political organisation, though everyone accepted that there were other equally orthodox forms of sovereign power. Hindu writers were content to repeat the theory of sovereignty found in earlier sacred writings, but their contribution to the theory of the State was not affected by it.

The king's relation to public revenue was a matter to which the Hindu thinkers attached great importance. The revenue system of the Hindu kings was very rigid and it has been the subject of exhaustive study by scholars. I can only draw attention here to the remarkable analysis of it by Dr. U.Ghoshal to which the student may turn for detailed information. Here we shall only deal with the king's relation to the revenue collected from his people. The theory of taxation as we noticed before was that the king was entitled

to take one-sixth of the produce, and a share of merchandise as the price of protection which he was affording to his people. Was he the absolute master of the money thus collected ? The first charge on that revenue was the expenditure in regard to protection. The highest duty of a Kṣatriya is to protect his subjects, for the king who enjoys the rewards (the sixth part) is bound to discharge that duty.[1] A king who does not discharge this duty but collects the taxes will go to hell and will take upon himself the sins and crimes of his people. Mahābhārata says that the king who collects his sixth part should spend it on protection.[2]

As may be expected, Çukra takes the most radical view with regard to public revenue. His principles are that the strength of a kingdom lies in a prosperous people and on sound public finance based on light taxation and his injunctions against kings who levy taxes for self-enjoyment are very strict. "The king should have wealth for the protection of the

1. Manu IX, 254.
2. Çanti Parva CXXXIX, 100.

people and not for other purposes."[1] "New duties and taxes are vexatious to the people and should therefore be avoided" and he is emphatic that the ruler who exacts the taxes through avarice is ruined along with his subjects.[2] Çukra further emphasises that the king's wealth is for public purposes only. He says: "The collection of taxes is for the maintenance of the army and the protection of the subjects, and the performance of sacrifices. The collection that is made a king's personal purposes as well as for self-enjoyment leads to hell." The king cannot, it is clear, use the public revenue for self-indulgence, and as the Mahābhārata says, a king who after collecting taxes does not utilise them for protection is a thief among kings.[3]

Cukra in describing the duties of a finance minister says: "The Sumantra should communicate to the king the amount of commodities laid by, the amounts of debts etc., the amount spent and the amount of surplus or balance in both moveables and immoveables

1. Çukra, chapter ii. 67.
2. Çukra, i. 420.
3. Çanti Parva, CXXXIX, 100.

during the course of the year. How many cities, villages and forests are there, the amount of land cultivated, who is the receiver of the rent, the amount of revenue realised, who receives the remainder after paying the rent, how much lands remain uncultivated, the amount of revenue realised through taxes and fines. The amount realised without cultivation, how much accrues from forests, the amount realised through mines and jewels."[1]

It will be seen that the finances of the kingdom were not left to the king to administer as he pleased. The finance minister has every year to prepare a balance sheet, a proper budget of receipt and expenditure and a detailed examination of resources. Kauṭalya who was also a practical administrator gives as we have seen a description of the organisation of the account office which provides evidence of the scrupulous care that the Hindu kings used to have in the administration of public funds.

It will be seen that the idea prevalent in some quarters that the revenue of the State is the private property of the ruler has no

1. Çukra, Panini office edition, p. 73.

support in Hindu theory. The king is entitled to take only a share for his maintenance and it is held to be both sinful and impolitic to hoard money through avarice as well as to spend the money collected by taxation for personal indulgence. Hindu political theory does not permit either and holds strictly that the king's wealth is for the protection of the people and if it is misused for personal purposes, it is no better than theft.

KINGSHIP, EMPIRE AND AUTOCRACY.

"A ruler has been made by Brahmā a servant of the people, getting his revenue as his remuneration. His sovereignty is however only for protection." Çukra, p. 20.

Originally the Hindu kings were only leaders-*Nētā*. But even in Vedic times, the idea of *samrāṭ*, *cakravartin*, the king who subdues others and holds imperial sway was familiar. It is with the geographical expansion of the Aryan peoples that a change came over the primitive conception of a tribe with its leader. When the tribes had spread over the immense plains of the Gangetic valley, the political fact of rulers who through their power were able to subdue other kings and to bring other States under their control gradually emerged. The Vedas, therefore, speak of samrāṭs and cakravartins and the idea of imperial power becomes a part of Hindu political tradition. With the gradual expansion of the political organisa-

tion, first to Aryavarta and later to the whole of India, the imperial idea becomes defined as that of an overlordship which extends either to the whole of Hindustan north of the Vindhyas or to the whole of India.

Mere military conquest does not however make an emperor. Such a ruler may become a great king, a Mahārāja, but not a samrāṭ. It was only after the açwamedha was performed that the king became an emperor. It will be seen therefore that the position of the samrāṭ in Vedic times was not hereditary but personal, and it did not give either additional power or higher authority. Kauṭalya has defined the scope of the conception of an orthodox Hindu Empire. "*Dèça-prithivī Tasyām Himavat Samudrāntaram udichinam nava yōjana sahasra parimānam tiryak cakravarti kshētram.*" The territory is the earth, viz. the area between the Himalayas and the sea which is 9000 yojanas in extent running northward obliquely is the sphere of cakravartin.

From the time of the Māhabhārata battle, there is this conception of the Empire of India, held in hereditary succession. The

genelogical lists which are attached to the Purāṇas show the persistence of this tradition, and the orthodox adherence to the imperial theory. From the time of the Mauryas, however, the theory is at least to some extent translated into practice. The three Mauryas were Emperors of India, and the Senāpati Puṣyamitra, though he did not assume the imperial title himself, continued the tradition by the performance of açwamedha for his son, Agnimitra, as may be seen from Kālidasa's Mālavikāgnimitra. The great gap in the imperial tradition was the period between 150 A. D. to 350 after which date the Guptas carried on the tradition and announced their imperial achievements in coins, pillars and literature. But patient research has shown that even greater than the Guptas were the Bharasivas and the Vākatakas who not only assumed imperial dignity, but by the performance of no less than ten açwamedhas united north India into one Empire. As the Bharasivas proudly declare in a copper plate inscription:—

'Parākramādhigata Bhāgirathyamala-Jala Mūrdhābhisiktānām Desāswamēdha-avabhrita snānānām Bharasivanam.'

"The Bharasivas who were anointed to sovereignty with the holy water of Bhagirathi which had been obtained by their valour, the Bharasivas who performed their sacred Oath on the completion of 10 açwamedhas."(1)

From this great dynasty, the imperial tradition is taken up by the Vākatakas, Pravarasena I of which family himself performed 4 açwamedhas and assumed the title of Samrāṭ. It is from the Vākatakas that the imperial tradition is inherited by the Guptas. The imperial sway of the Guptas is fully known and recognised in Indian history, but the idea till now was that it was merely the achievement of a dynasty which died with it. It is necessary to emphasise that this is in no sense correct. The imperial tradition passed to the Guptas through the Vākatakas, and when the descendants of Samudra Gupta, after centuries of imperial rule, ceased to govern Āryavarta, the empire, after a period of anarchy was divided between the Çilāditya dynasty in the north and the Cālukyas in the south. From the revived Vākatakas in the Vindhya area, the imperial insignas, the libe-

(1) Jayaswal History of India. p. 7.

rated Ganga and Yamuna, and the Makara Tōraṇa and the Kanaka Daṇḍa, passed on to the Cālukyas, and Pulikesin I, who performed his açwamedha at Vatapi, and Pulikesin II, who was, as he proclaims "Harṣa vichēda hētu", the reason for the ruin of Harṣa, were claimants to the imperial throne of India. In any case, the tradition lived with them, and by the performance of açwamedha, they maintained the glory of the imperial idea. It is important to note that the idea of a legitimate Mūrdhābhiṣikta Emperor of India did not in any manner die with the Mussalman invasion, as the Emperors of Vijayanagar, fully alive to the tradition, emphasised their connection with the Cālukyas and thereby brought themselves into line with the purāṇic samrāṭs. In the Madana Gopāla Swamin temple at Madura, the Emperors of Vijayanagar are described as the "most excellent in the family of Satyasaya and the gem of the Cālukyas." When this connection with the imperial tradition is recognised, the full significance of the change of name of the capital into Hampi Hastināvati will be understood. In theory, it was Hastināvati, the legitimate capital of Hindu

India, and further significance attaches to such phrases of glorification as "seated on his throne ruling the whole kingdom extending from Setu to the Sumeru and from the hill of sunrise in the east to the end of the western mountains, eclipsing the fame and righteousness of even Nṛga, Nala, Nahuṣa and such others." (1)

Though the rest of India was under the Mussalmans, the Vijayanagar kings held to the theory that the Karma Bhūmi, the sacred land of the Hindus, had contracted to the area actually under their sway, and they were the legitimate rulers of Jambudwipa, in succession through the Cālukyas to the epic kings, the rest of India being a kind of India irredenta. That is the explanation of their calling their capital *Hampi Hastināvati*, and declaring that their kingdom extended from Setu to Sumeru. The imperial tradition was kept in the custody of the Vijayanagar kings even for 100 years after the battle of Talikkotta, and was taken up again by Sivaji. Here also we see the claim of legitimacy put forward in order to connect the new Hindu

(1) Epigraphic India XVI., p. 251.

Empire with the historic dynasties of India. Sivaji declaring himself a descendant of the Sisodias of Udaipur may have been the exponent of spurious genealogy, but he was solemnly asserting his claim to legitimate Hindu Empire, a genuine *Hindupada padshahi* connected in idea with the historic empires of the past. Sivaji not only has himself crowned with the proper Vedic rites, but had his claim as a Mūrdhābhiṣikta emperor recognised by orthodox Hinduism by connecting himself with the historic imperial families of India. The imperial tradition of Indian kingship was therefore maintained in unbroken continuity till the establishment of British Rule in 1818.

Along with the growth of this imperial idea, there is also a distinctly noticeable tendency, at least from the first century of the Christian era, for kings and emperors to claim autocratic powers. The tendency is most marked in the change of titles which can be studied from the epigraphic and other records available to us. The Vedic title of kings was simply Rājā. Mahārāja or great king is frequently referred to in Aitareya

(vii 34. 9), Çatapatha and in the Bṛhad āraṇyaka Upanishad, but it was more used as a description than as a title. The word Cakravartin was used for a Rājā who performed certain Yagas and claimed to rule over Āryavarta. In the Sukla Yajurveda, the words Rajan, Virāṭ, Samrāṭ, Swarāṭ and Adhipati occur, but they seem to be used with special meanings rather than as titles. The title of Sārvabhauma or one who has conquered the world appears in the Aitareya, but here also it is not with reference to any particular country or people, but merely as a description of one who conquers and holds sway over the world.

Though these descriptive titles are thus mentioned in religious literature, in the political and itihāsa literature before the first century, they do not find any place. Further, the kings themselves even in their wildest self-glorification did not use them. In Mahābhārata, only the titles of Rājā and Mahārājā are used. In Rāmāyaṇa, it is the same. Neither Candra Gupta nor Aṣoka claimed any titles higher than Rājā and Mahārājā. But the foreign invasions on the north eastern frontier intro-

duced new ideas. The Kushans and Sakas assumed the high flown titles of the Persians and Bactrian Greeks. Kaniska in his copper-plate inscriptions does not hesitate to call himself:—

> Mahārājasya Rajādhirājasya Deva-putrasya.

The simple Hindu titles soon got ransformed. The foreign rulers assumed such exotic titles as Shahanshah and Dēva Putra and the Gupta Emperors not to be outdone by those whom they had vanquished, assumed the titles of Mahārājadhirāj and Maheçwara. From that time every petty ruler really taxed the ingenuity of his Court Pandits in inventing more and more extravagant titles, the climax of which seems to have been reached by the Sēna kings of Bengal in the 10th century, whose regal titles were as follows :—

Mahārājādhirāja Parameçwara Parama Maheçwara Parama Maharaka Mukaraja Dhi-raja Srimadvijaya Sura Deva. (Barrackpore copperplate of Vijaysena.)

This may be compared with the style which the king of Siam assumes for himself:—

Parama Rajādhirājaramādhipati
Srisrinda parama maha cakravarti-rajādhipatindra
Dharanindrādhirāja, sakala cakra-valadipendra etc., etc.,

Of course, this prostitution of royal titles and the assumption of imperial dignities by really petty kings became all the more emphasised in the later stages of Hindu development when every local ruler claimed that he was the Lord of the World.

It may be argued that these changes in titles are only an inoffensive exhibition of vanity. But that is not so. The psychological change involved in the transformation of titles is important. The Guptas in assuming the title of Mahārājā Dhirāja and Maheçwara and Parameçwara were really emphasising both their supreme power as emperors and their achievements as the deliverers of the land. It is an established fact in history that a monarchy which delivers the land from foreign invasion claims and exercises more power than its predecessors. The nature of the Gupta monarchy was therefore different as the kings of that

dynasty were not only the champions of orthodoxy but the victorious leaders of a resurgent India. The monarchy of Samudra Gupta and Candra Gupta II and Skanda Gupta was in that sense a departure from Hindu ideas of kingship and it is this change that was denoted in the higher titles they assumed for themselves. After them, the Thaneçwar dynasty, as may be seen from the Madhuvana copper-plate inscription of Sri Harṣa, where he speaks of himself as

> Parama maheçwara, Mahēçwara iva sarvasattwānukampi
> Parama maharaka Maharaja Dhiraja Sri Harṣa,

assumed similar titles no doubt based on the claim of having expelled the Huns. The Cālukyas—especially Pulikesin II who was " Harṣa Vicchedahetu ", the conquerer of Harṣa—would not be outdone in the matter. From the Calukyas, the imperial titles, as we noticed before, passed to the Vijayanagar dynasty.

But whatever the justification in the change of character of these monarchies as defenders of the Dharma and of the country,

the transformation was equally reflected in the pretensions and claims of the petty rulers who sprung up everywhere in India. However small the territory, however limited their resources, they were all universal monarchs, adhipatis, parameçwaras and the like. Earlier writers on politics had classified rulers according to area and revenue, more or less as the British Government to-day classifies them according to salutes. With the fragmentisation of the States and the imitation by the smaller rulers of the powers and pretensions of the larger, there set in a tendency which approximated the Indian monarchies to the autocracies of medieval Italy. This was an evolution which had neither the sanction of Hindu theory nor the support of political practice; it was merely a poisonous growth in the jungle of anarchy, and unfortunately Indian kingship has been judged by Western writers by what they themselves witnessed, little realising that this growth was in every way alien to Hindu conceptions.

The reason why, in spite of these liberal traditions, the later Hindu ideas of kingship

became in time the symbols of a rigid conservatism may now be examined. The two examples of orthodox Hindu empires during the period following the establishment of Muslim rule in Aryavarta were the Vijayanagar and the Mahratta States. In both cases, their origin lay in a defensive movement and the State was organised and its supreme authority founded on the basis of protecting Hindu Dharma. It is a recognised element of national psychology that where a society is on the defence it cherishes every inherited tradition and holds fast to all things good and bad which it has inherited. Conservatism becomes a national virtue; the maintenance of what has been, a point of national honour. That is not the time for reforms, for the raison d'etre of the State is the defence of what exists. The orthodoxy of kings became therefore the central point in the State. Hence it is that the great States which stood out of the Mahommedan influence or resisted the power of the Moghuls, like Vijayanagar, the Mahratta Empire and Udaipur became the citadels of orthodoxy, places where customs which in a free India

never had universal acceptance, came to be considered orthodox and unchangeable.

In the British period the change which had come over the Hindu idea of kingship is curious. The importation of the theory of State omnipotence has given to the idea of Indian monarchy a conception of autocracy totally opposed to Indian ideas. The Indian ruler now exercises in theory, (subject, of course, to Paramountcy powers), full powers of legislation and is therefore the fountain of justice and of law. He has become, by a curious process, the inheritor not only of powers given to him in the Nitiçāstras, but also which Western legists have evolved in Europe. He can legislate in religious matters; he can change the laws. There is in fact nothing he is prevented legally from doing so long as it does not interfere with the authority of the Crown. This is indeed a strange development. It may seem at first an anomaly that the contact with Western political theory and the importation of British ideas of government should have strengthened the powers of Indian rulers, and transformed their States

into genuine autocracies which they never were. A closer examination would show that this result was inevitable. The Western conception of State, as we pointed out before, recognises no limitations. There is no conception of a divided obedience in European theory; in fact, the conflict between the Church and the State was not whether one should limit the power of the other, but whether the City of God or the City of man should be supreme. The Hildebrandian conception which found its apotheosis in Innocent III declaring that he was Pope and Emperor, and Boniface VIII declaring majestically that he combined the spiritual and temporal powers was as much a claim of unlimited authority for the: sovereign and undivided allegiance of the people, as the claim of the secular State in Bodin, Hobbes and Austin to be supreme in every respect. The European State whether Parliamentary as in England and France or totalitarian as in Italy and Germany equally claims omnipotence in law. In England and other democratic countries, the compromise which secures the fundamental rights of the people

is institutional and therefore subordinate to the omnipotence of the State. The Divine Right of Kings has no doubt ceased to have validity in Europe, but the Divine Right of States is the philosophy in power and traces its authority to the respectable antiquity of Aristotle who declared that the State was natural and that man found his fulfilment in and through the State. The philosophy of Hegel and Rousseau and the legalism of Austin have only justified or found authority for what is fundamental in European thought—that the State is the complex and repository of all powers and is entitled to the undivided obedience of its members.

The liberty guaranteed to the people being based on institutions and not on the conception of the State itself, the importation of European ideas into India, without the institutions of liberty, led to the curious result of the acceptance of the view that the State was all-powerful. As in the absence of the institutions comprising the State in Europe, the ruler and the State were the same, every prince in India became, in theory, the inheritor of the traditions of Hobbes and

Hegel in regard to the omnipotence of the State, subject of course to the Paramountcy of the Crown. The Divine Right of the State in Europe became both in fact and in law the Divine Right of Kings in India. Even the Ruler of a few square miles who had held his State as a *Jagir* or a grant was provided with the complete armoury of the Hegelian State and became a "full-powered sovereign" in theory, vested with all legislative and executive functions. Indian rulers thought in terms of prerogatives and personal power, ideas totally inconsistent with Hindu kingship, and curiously enough, the more educated and more Western minded the ruler, the more he came to adopt the false doctrine of "L'etat c'est moi". The more integral conception emphasised in all Hindu texts that the State was formed of constituents of co-ordinate authority was forgotten in the logical perfection of the Austinian conception.

No doubt this transformation of Hindu kingship is in some ways of importance as it enables the rulers to legislate and organise their States on more modern lines. The defensive character of orthodox monarchies

had made them rigidly conservative. They became the champions and upholders of dead customs and without the evolution of a legislating State, society under the leaden weight of dead traditions was being suffocated. The ruler as the symbol of the omnipotent State can now be really the maker of the epoch in the words of Bhiṣma. But it is necessary to emphasise that without the institutional counterpart maintaining good government and liberty, the omnipotent State would only lead to a lessening of human values and to a corruption of *Dharma*.



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